

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

In Re NAZIR KHAN, IFTIKHAR KHAN,
Petitioners

2025-139

On Petition for Writ of Mandamus to the United States
District Court for the District of Utah in No. 2:21-cv-00337-
HCN-CMR, Judge Howard C. Nielson, Jr.

In Re NAZIR KHAN, IFTIKHAR KHAN,
Petitioners

2025-140

On Petition for Writ of Mandamus to the United States
District Court for the Northern District of Georgia in No.
1:21-cv-02291-SCJ, Judge Steve C. Jones.

ON PETITION

Before LOURIE, PROST, and CHEN, *Circuit Judges*.
PER CURIAM.

O R D E R

This court previously affirmed final judgments against Nazir Khan and Iftikhar Khan on their claims of patent infringement.¹ The Khans now petition this court for a writ of mandamus seeking various relief, including to declare “all dispositive rulings issued” in the cases “void” and to “[a]knowledge and confirm that all facts and legal arguments presented by Petitioners are correct in law and supported by the uncontested record.” Pets. at 9–10 (emphasis omitted).

Mandamus is an extraordinary remedy available only where the petitioner shows: (1) a clear and indisputable right to relief; (2) no adequate alternative avenue for relief; and (3) that mandamus is appropriate under the circumstances. *Cheney v. U.S. Dist. Ct. for D.C.*, 542 U.S. 367, 380–81 (2004). To the extent the Khans are attempting to relitigate the earlier judgments, they lost the first time around on appeal and mandamus does not afford them a second bite at the apple. To the extent they are attempting to challenge rulings since that time, they have not shown a timely direct appeal would be inadequate. We have also considered their arguments to compel the trial court to take further action but find nothing in them that would warrant granting this extraordinary relief.

Accordingly,

¹ *Khan v. Merit Medical Sys., Inc.*, No. 2023-2329, ECF No. 69 (Fed. Cir. July 16, 2024); *Khan v. Artivion, Inc.*, No. 2023-2347, ECF No. 43 (Fed. Cir. July 16, 2024).

IN RE KHAN

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IT IS ORDERED THAT:

The petitions are denied.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

September 29, 2025
Date