

NOTE: This order is nonprecedential.

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

**GARMIN INTERNATIONAL, INC., GARMIN USA,
INC., GARMIN CORPORATION,**
Appellants

v.

INTERNATIONAL TRADE COMMISSION,
Appellee

NAVICO INC., NAVICO HOLDING AS,
Intervenors

2016-2584

Appeal from the United States International Trade
Commission in Investigation No. 337-TA-921.

ON MOTION

Before MOORE, HUGHES, and STOLL, *Circuit Judges*.
STOLL, *Circuit Judge*.

ORDER

Garmin International, Inc., Garmin USA, Inc., and
Garmin Corporation (collectively, “Garmin”) move the

court to stay enforcement of the International Trade Commission's Modified Limited Exclusion Order. Navico Holding AS, Navico, Inc., and the International Trade Commission oppose.

Rule 18(a)(2) of the Federal Rules of Appellate Procedure authorizes this court to grant a stay pending appeal. Our determination is governed by four factors, the first two of which are the most critical: (1) whether the movant has made a strong showing of likelihood of success on the merits; (2) whether the movant will be irreparably injured absent a stay; (3) whether issuance of the stay will substantially injure the other parties interested in the proceeding; and (4) where the public interest lies. *See Nken v. Holder*, 556 U.S. 418, 434 (2009).

Without prejudicing the ultimate disposition of this case by a merits panel, we conclude based upon the papers submitted that Garmin has not established the right to a stay pending appeal.

Accordingly,

IT IS ORDERED THAT:

Garmin's motion to stay enforcement of the order is denied.

FOR THE COURT

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court