

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN LITHIUM SILICATE
MATERIALS AND PRODUCTS
CONTAINING THE SAME**


Inv. No. 337-TA-911

ORDER NO. 4: SETTING PROCEDURAL SCHEDULE

(April 15, 2014)

The Administrative Law Judge has reviewed the parties' joint proposed procedural schedule and finds that this Investigation shall be governed by the following procedural schedule.

SO ORDERED.


E. James Gildea
Administrative Law Judge

ATTACHMENT A

PROCEDURAL SCHEDULE & DATES

Complainants serve Ground Rule 4.1 Interrogatories	April 17, 2014
Parties exchange list of patent claim terms for construction	April 24, 2014
Complainants file Ground Rule 4.3 Notice of Patent Priority Dates	May 14, 2014
Deadline for first settlement conference	May 21, 2014
Submission of first settlement conference joint report	May 28, 2014
File identification of expert witnesses, including their expertise and curriculum vitae	May 28, 2014
Respondents file notice of prior art	May 28, 2014
Complainants and Respondents provide Staff with their proposed construction of the disputed claim terms	June 4, 2014
Deadline to file Markman hearing proposals	June 10, 2014
Respondents serve Ground Rule 4.2 Disclosure of Products	June 13, 2014
Deadline for parties to meet and confer (including Staff) in an attempt to reconcile or otherwise limit disputed claim terms	June 19, 2014
Parties submit a joint list showing each party's proposed construction of the disputed claim terms	June 23, 2014
File tentative list of witnesses a party will call to testify at the evidentiary hearing, with an identification of each witness' relationship to the party	July 16, 2014
Technology Stipulation deadline	July 17, 2014
Complainants serve Ground Rule 4.5 Final Domestic Industry Contention Disclosure	July 29, 2014

Deadline for service of Ground Rule 4.7 Final Invalidity Contention Disclosure	July 29, 2014
Deadline for second settlement conference	July 30, 2014
Submission of second settlement conference joint report	August 6, 2014
Deadline for service of Ground Rule 4.6 Final Infringement Contention Disclosure	August 8, 2014
Fact discovery cutoff and completion	August 20, 2014
Last day to file summary determination motions	August 25, 2014
Exchange of initial expert reports (identify tests/surveys/data)	September 2, 2014
Exchange of rebuttal expert reports	September 16, 2014
Expert discovery cutoff and completion	September 30, 2014
Deadline for third settlement conference	October 1, 2014
Submission of statements regarding the use of witness statements in lieu of live direct testimony, and statements regarding whether any party intends to offer expert reports into evidence	October 3, 2014
Exchange of exhibit lists among the parties	October 7, 2014
Submission of third settlement conference joint report	October 8, 2014
Submit and serve direct exhibits (including witness statements), with physical and demonstrative exhibits available – Complainants and Respondents	October 8, 2014
Submit and serve direct exhibits (including witness statements), with physical and demonstrative exhibits available -- Staff	October 10, 2014
File Pre-hearing statements and briefs – Complainants and Respondents	October 10, 2014
File Pre-hearing statement and brief -- Staff	October 17, 2014
File requests for receipt of evidence without a witness	October 20, 2014
File objections to direct exhibits (including witness statements)	October 20, 2014

Submit and serve rebuttal exhibits (including witness statements), with rebuttal physical and demonstrative exhibits available—all parties	October 20, 2014
Last day to file motions <i>in limine</i>	October 21, 2014
File responses to objections to direct exhibits (including witness statements)	October 22, 2014
File objections to rebuttal exhibits (including witness statements)	October 24, 2014
File statement of high priority objections	October 24, 2014
File response to objections to rebuttal exhibits (including witness statements)	October 29, 2014
File responses to statement of high priority objections	October 30, 2014
Submission of declarations justifying confidentiality of exhibits	October 31, 2014
Last day to file responses to motions <i>in limine</i>	October 31, 2014
Tutorials (optional)	9:00 a.m., November 13, 2014, location TBA
Pre-hearing conference	November 13, 2014, location TBA
Hearing	November 13-20, 2014, location TBA
Last day to submit final exhibits, by appointment	[No more than two business days after hearing]
File initial post-hearing briefs <u>and</u> final exhibit lists	December 8,¹ 2014
File reply post-hearing briefs	December 16, 2014
Final ID due	February 27, 2015
Target Date	June 29, 2015

¹ This deadline, which would have been December 2, 2014, already accounts for the Thanksgiving holiday. The parties should not seek any additional time on this basis.

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337-TA-911

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served upon the Commission Investigative Attorney, Todd P. Taylor, Esq., and upon the following parties as indicated on April 15, 2014.



Lisa R. Barton
Acting Secretary to the Commission
U.S. International Trade Commission
500 E Street, SW, Room 112A
Washington, D.C. 20436

**ON BEHALF OF COMPLAINANTS IVOCLAR VIVADENT AG, IVOCLAR
VIVADENT, INC., AND IVOCLAR VIVADENT MANUFACTURING INC.:**

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**RESPONDENT DENTSPLY INTERNATIONAL INC., RESPONDENT DENTSPLY
PROSTHETICS U.S. LLC A/K/A DENTSPLY CERAMCO, AND RESPONDENT
DEGUDENT GMBH:**

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