

UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.

Before The Honorable MaryJoan McNamara
Administrative Law Judge

In the Matter of:

CERTAIN COMPOSITE AEROGEL
INSULATION MATERIALS AND
METHODS FOR MANUFACTURING
THE SAME

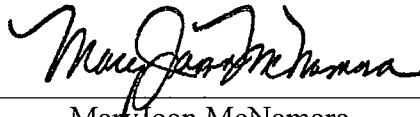
Investigation No. 337-TA-1003

ORDER NO. 5: SETTING THE PROCEDURAL SCHEDULE

(July 7, 2016)

On July 1, 2016, the parties filed a Joint Submission of Procedural Schedule and Order. After considering the parties' proposed dates, I have adopted the Procedural Schedule attached hereto as Appendix A.

SO ORDERED.



MaryJoan McNamara
Administrative Law Judge

APPENDIX A

PROCEDURAL SCHEDULE: INV. NO. 337-TA-1003

Event	Date
Deadline for Proposed Procedural Schedule and Discovery Statement	July 1, 2016
Deadline for Propounding First Set of Interrogatories	N/A (already served)
Deadline for Propounding First Request for Productions of Documents	N/A (already served)
Deadline for Complainants' Objections and Responses to Respondents' First Set of Interrogatories and Request for Production	10 days after service
Deadline for Respondents' Objections and Responses to Complainants' First Set of Interrogatories and Request for Production	10 days after service
Deadline for Initial Contention Interrogatories	July 11, 2016 (parties may file additional contention interrogatories after this date)
Complainant Files Notice of Patent Priority dates/dates of conception/reduction to practice	July 15, 2016
Deadline for Initial Contention Deadline Interrogatory Responses	July 21, 2016 (excluding infringement, DI, claim construction and invalidity issues, deadlines for which are set below)
Deadline for Disclosure of Domestic Industry Products	August 10, 2016
File identification of expert witnesses, including their expertise and Curriculum Vitae	August 12, 2016

Respondent files Notice of Prior Art	August 12, 2016
Deadline for Disclosure of Invalidity Contentions	August 17, 2016
Deadline for Disclosure of Domestic Industry Contentions	August 17, 2016
Deadline for Disclosure of Infringement Contentions	August 17, 2016
Parties exchange List of Patent Claim Terms for Construction	August 22, 2016 (claim terms) August 26, 2016 (proposed construction)
File Joint Claim Construction Chart	August 31, 2016
Parties meet and confer in an attempt to reconcile or otherwise limit disputed claim terms	September 6, 2016
First Settlement Conference Deadline (Must have occurred by this Date)	September 13, 2016
Deadline to File <i>Markman</i> Hearing Proposals	September 14, 2016
File Report of First Settlement Conference (within 7 days of First Settlement Conference)	Within 7 days of First Settlement Conference
<u>Private</u> Parties File a Joint List showing each Party's Proposed Construction of Disputed Claim Terms, with Initial Briefs by the <u>Private</u> Parties explaining their Initial Claim Constructions	September 20, 2016
Staff Files (i) Amended Joint List Showing each Party's Proposed Construction of Disputed Claim Terms, Adding the Staff's Proposed Construction and (ii) the Staff's Initial & Reply Claim Construction Brief	September 30, 2016
<u>Private</u> Parties File Replies to Initial Claim Construction Briefs (which should include reconciled claim terms)	October 7, 2016

Technology Stipulation Deadline	October 14, 2016
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	October 21, 2016
<i>Markman</i> Hearing (if ordered)	October 24, 2016
Last day to File Motions To Compel Discovery (Motions should be filed on a rolling basis as it becomes apparent that information is missing)	October 31, 2016
Deadline for post- <i>Markman</i> Hearing Claim Construction and Briefs	October 31, 2016
Fact Discovery Cutoff/Completion	November 10, 2016
Deadline for Second Settlement Conference	November 15, 2016
Submission of Second Settlement Conference Joint Report (within 7 days of Settlement Conference)	Within 7 days of Second Settlement Conference
Exchange of Initial Expert Reports (identify tests/surveys/data)	November 22, 2016
Attendance at One-day Mediation Session	December 7, 2016
Submission of Joint Report on Mediation	Within 7 days of mediation
Exchange of Rebuttal Expert Reports	December 12, 2016
Expert Discovery Cutoff and Completion	December 23, 2016
Last day to file Summary Determination Motions	December 16, 2016
Deadline for Third Settlement Conference	January 3, 2017

Submission of Statements regarding the use of Witness statements in lieu of Live Direct Testimony, and Statements whether any Party intends to offer Expert Reports into evidence (where applicable)	January 3, 2017
Submission of Third Settlement Conference joint report	January 5, 2017
Exchange Exhibit Lists Among the Parties	January 4, 2017
Submit and serve direct exhibits (including witness statements, if appropriate), with physical and demonstrative exhibits available - Complainants and Respondents	January 9, 2017
File Pre-hearing Statements and Briefs – Complainants and Respondents	January 13, 2017
File Requests for Receipt of Evidence Without a Witness	January 17, 2017
File Objections to Direct Exhibits (including witness statements)	January 18, 2017
Submit and serve Rebuttal Exhibits (including witness statements), with rebuttal physical and demonstrative exhibits available-all parties	January 18, 2017
Last day to file Motions <i>in Limine</i>	January 18, 2017
Last Day to File Statement of High Priority Objections	January 18, 2017
File Pre-hearing Statements and Briefs – Staff	January 20, 2017
File Responses to Objections to Direct Exhibits (including witness statements)	January 25, 2017
File objections to Rebuttal Exhibits (including witness statements)	January 25, 2017
Last Day to File Responses to Statement of High Priority Objections	January 25, 2017

Submission of declarations justifying confidentiality of exhibits	January 25, 2017
Last Day to File Responses to Motions <i>in Limine</i>	January 25, 2017
Last Day to File Response to Objections to Rebuttal Exhibits (including witness statements)	January 27, 2017
Pre-hearing Conference	9:30 a.m., February 15, 2017, TBA
Tutorials (Optional-as part of individual or joint presentation following Pre-hearing Conference)	February 15, 2017, TBA
Hearing	February 15-17, 2017 and February 21-24, 2017, 9:30 a.m. to 5:30 each day
Last day to submit final exhibits, by appointment	No more than two business days after hearing
Deadline for Initial Post-hearing Briefs and Final Party Exhibit Lists	March 8, 2017
Submit Final JOINT Direct and Rebuttal Exhibits (CDROM or Flash Drive)	March 14, 2017
File Reply Post-hearing Briefs	March 15, 2017
Initial Determination (ID) on violation target date	June 8, 2017
Target Date for completion of Investigation	October 11, 2017

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Inv. No. 337-TA-1003

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Yoncha Kundupoglu, Esq., and upon the following parties as indicated on July 8, 2016.



Lisa R. Barton, Secretary
U.S. International Trade Commission
500 E Streets, SW, Room 112
Washington, DC 20436

On Behalf of Complainant Aspen Aerogels, Inc.

Kevin K. Su
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**On Behalf of Respondent Guangdong Alison
Hi-Tech Co., Ltd.**

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On Behalf of Respondent Nano Tech Co., Ltd.

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