

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN HEMOSTATIC PRODUCTS
AND COMPONENTS THEREOF**

Inv. No. 337-TA-913

NOTICE TO THE PARTIES REGARDING GROUND RULE 10.5.6

(December 29, 2014)

On December 16, 2014, the parties were advised of the undersigned's policy regarding Ground Rule 10.5.6. In an attempt to provide some guidance to the parties, the undersigned sets forth below some examples of what would be deemed in compliance or not in compliance with Ground Rule 10.5.6:

Acceptable

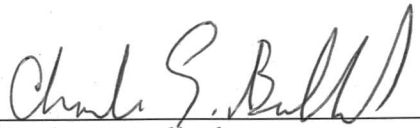
- An expert opines in his/her expert report that a patent is invalid as obvious and then testifies as to the specific obviousness combinations in his/her witness statement.
- An expert states that he/she believes a patent is not infringed and then in his/her testimony sets forth his/her opinions as to why it is not infringed.

Improper

- An expert opines in his/her expert report that a patent is invalid under § 102(a) and then testifies that the patent is invalid under both §§ 102(a) and 102(b). The testimony regarding § 102(b) would be deemed improper.
- An expert opines only on validity in his/her expert report and then testifies as to certain non-infringement opinions. The testimony regarding his/her non-infringement opinions would be deemed improper.
- An expert opines in his/her expert report that the asserted claims of a patent are infringed and then testifies that those claims are not only directly infringed, but also infringed under the doctrine of equivalents. The testimony regarding the doctrine of equivalents would be deemed improper.

Taking this guidance into account, the parties are hereby directed to provide the undersigned with a written update no later than noon on Tuesday, December 30, 2014 as to what portions of their respective motions *in limine* and high priority objections remain ripe for resolution in view of the above.


SO ORDERED.



Charles E. Bullock
Chief Administrative Law Judge

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **NOTICE** has been served by hand upon the Commission Investigative Attorney, Monica Bhattacharyya, Esq., and the following parties as indicated, on **December 29, 2014**.



Lisa R. Barton, Secretary
U.S. International Trade Commission
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