

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

CERTAIN WEARABLE ACTIVITY
TRACKING DEVICES, SYSTEMS, AND
COMPONENTS THEREOF

Inv. No. 337-TA-973

ORDER No. 4: SETTING PROCEDURAL SCHEDULE

(January 5, 2016)

In accordance with the parties' proposed procedural schedule, submitted in response to Order No. 3, and with the Case Management Conference held on January 4, 2016, I hereby adopt the Procedural Schedule set forth in Appendix A as the procedural schedule in this Investigation.

SO ORDERED.



Thomas B. Pender
Administrative Law Judge

APPENDIX A

PROCEDURAL SCHEDULE, CASE NO. 337-TA-973	
Event	Date
Deadline for Propounding Ground Rule 6.2 Interrogatories	Friday, January 8, 2016
Deadline for Ground Rule 7.1 Disclosure of Priority Dates and Dates of Conception/Reduction to Practice	Friday, February 5, 2016
Deadline for Ground Rule 7.2 Disclosure of Products	Friday, February 5, 2016
Deadline for Ground Rule 7.3 Disclosure of Domestic Industry Contentions	Friday, February 5, 2016
Deadline for Ground Rule 7.4 Disclosure of Infringement Contentions	Friday, February 5, 2016
Exchange list of claim terms for construction	Friday, February 12, 2016
Deadline for Ground Rule 7.5 Disclosure of Invalidity Contentions	Monday, February 15, 2016, by noon PT
Exchange proposed claim constructions	Monday, February 22, 2016
File joint claim construction chart	Friday, February 26, 2016
File initial claim construction briefs (Private Parties)	Friday, March 11, 2016
File initial and reply claim construction briefs (Staff)	Friday, March 18, 2016
File identification of expert witnesses, including their expertise and curriculum vitae	Friday, March 18, 2016
First settlement conference	On or before Monday, March 21, 2016
File reply claim construction briefs (Private Parties)	Friday, March 25, 2016
Submit first settlement conference joint report	Monday, March 28, 2016
Technology Tutorial	Monday, April 4, 2016
Markman Hearing	Monday, April 4, 2016 through Tuesday, April 5, 2016
Issue Order Construing Terms (*tentative date*)	Friday, May 6, 2016

PROCEDURAL SCHEDULE, CASE NO. 337-TA-973

Event	Date
Fact discovery cutoff and completion	Friday, May 13, 2016
Deadline for motions to compel discovery	Friday, May 20, 2016
Serve initial expert reports	Friday, May 20, 2016
Second settlement conference	On or before Monday, May 30, 2016
Serve rebuttal expert reports	Friday, June 3, 2016
Submit second settlement conference joint report	Monday, June 6, 2016
Deadline for filing summary determination motions	Thursday, June 9, 2016
Expert discovery cutoff and completion	Monday, June 13, 2016
Serve proposed exhibit lists	Wednesday, June 22, 2016
Third settlement conference	On or before Thursday, June 23, 2016
Serve proposed direct exhibits (including witness statements), with available proposed physical and demonstrative exhibits	Wednesday, June 29, 2016
Submit third settlement conference joint report	Thursday, June 30, 2016
File objections to proposed direct exhibits (including witness statements)	Friday, July 8, 2016
Serve proposed rebuttal exhibits (including witness statements), with available proposed rebuttal physical and demonstrative exhibits	Friday, July 8, 2016
File pre-hearing statements and briefs (Private Parties)	Monday, July 11, 2016
Submit on electronic media proposed direct and proposed rebuttal exhibits (including witness statements) with available proposed direct and proposed rebuttal physical and demonstrative exhibits	Monday, July 11, 2016
File responses to objections to proposed direct exhibits (including witness statements)	Friday, July 15, 2016
File objections to proposed rebuttal exhibits (including witness statements)	Friday, July 15, 2016

PROCEDURAL SCHEDULE, CASE NO. 337-TA-973

Event	Date
File requests for receipt of evidence without a witness	Friday, July 15, 2016
File pre-hearing statement and brief (Staff)	Monday, July 18, 2016
Deadline for filing motions <i>in limine</i>	Tuesday, July 19, 2016
File responses to objections to proposed rebuttal exhibits (including witness statements)	Friday, July 22, 2016
File responses to motions <i>in limine</i>	Monday, July 25, 2016
Pre-hearing conference	Friday, August 5, 2016
Hearing	Monday, August 8, 2016 through Friday, August 12, 2016
File initial post-hearing briefs and final exhibit lists	Friday, August 26, 2016
Submit final direct and rebuttal exhibits (including witness statements) with direct and rebuttal physical and demonstrative exhibits	Friday, August 26, 2016
File responsive post-hearing briefs	Friday, September 9, 2016
File reply post-hearing briefs	Friday, September 16, 2016
Initial Determination Due	Wednesday, December 7, 2016
Target date for completion of investigation	Friday, April 7, 2017

**IN THE MATTER OF CERTAIN WEARABLE ACTIVITY
TRACKING DEVICES, SYSTEMS AND COMPONENTS THEREOF**

337-TA-973

CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **PUBLIC ORDER NO. 04** has been served upon the **Commission Investigative Attorney, Yoncha Kundupoglu, Esq**, and the following parties as indicated on JAN -5 2016.



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