

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

CERTAIN THERMOPLASTIC-  
ENCAPSULATED ELECTRIC MOTORS,  
COMPONENTS THEREOF, AND  
PRODUCTS AND VEHICLES  
CONTAINING SAME II

Inv. No. 337-TA-1073

**ORDER NO. 6: FINAL PROCEDURAL SCHEDULE**

(December 5, 2017)

The parties submitted proposed procedural schedules in response to Order No. 5, and these proposals were discussed during the Case Management Conference held on December 4, 2017.

I hereby adopt the Procedural Schedule set forth in Appendix A as the procedural schedule in this investigation.

**SO ORDERED.**



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Thomas B. Pender  
Administrative Law Judge

## Appendix A

### Procedural Schedule for Inv. No. 337-TA-1073

| Event  | Date                         |
|--|------------------------------|
| Deadline for Propounding Ground Rule 6.2 Interrogatories   | Thursday, November 30, 2017  |
| Complainant's first biweekly declaration, detailing efforts to reduce number of patent claims and patents at issue | Friday, December 1, 2017     |
| Initial Case Management Conference   | Monday, December 4, 2017     |
| File identification of expert witnesses, including their expertise and curriculum vitae                            | Friday, December 15, 2017    |
| Deadline for Ground Rule 7.1 Disclosure of Priority Dates and Dates of Conception/Reduction to Practice            | Friday, December 22, 2017    |
| Exchange list of claim terms for construction  | Friday, January 5, 2018      |
| Exchange proposed claim constructions  | Monday, January 8, 2018      |
| File joint claim construction chart  | Tuesday, January 16, 2018    |
| First settlement conference  | Friday, January 19, 2018     |
| Submit first settlement conference joint report  | Wednesday, January 24, 2018  |
| Deadline for Ground Rule 7.2 Disclosure of Products  | Friday, January 26, 2018     |
| Deadline for Ground Rule 7.3 Disclosure of Domestic Industry Contentions   | Friday, January 26, 2018     |
| File initial claim construction briefs (private parties)   | Monday, January 29, 2018     |
| File initial claim construction brief (Staff)  | Thursday, February 8, 2018   |
| File reply claim construction briefs (private parties)   | Thursday, February 15, 2018  |
| File reply claim construction brief (Staff)  | Wednesday, February 21, 2018 |

| Event  | Date                         |
|--|------------------------------|
| Deadline for Ground Rule 7.4 Disclosure of Infringement Contentions  | Wednesday, February 21, 2018 |
| Deadline for Ground Rule 7.5 Disclosure of Invalidity Contentions  | Wednesday, February 21, 2018 |
| Technical Tutorial   | Monday, February 26, 2018    |
| <i>Markman</i> Hearing Start   | Monday, February 26, 2018    |
| <i>Markman</i> Hearing End   | Tuesday, February 27, 2018   |
| Fact discovery cutoff and completion   | Friday, March 16, 2018       |
| Second settlement conference   | Friday, March 16, 2018       |
| Submit second settlement conference joint report   | Friday, March 23, 2018       |
| Serve initial expert reports   | Friday, March 30, 2018       |
| Issue Order Construing Terms (*tentative date*)  | April 2018                   |
| Serve rebuttal expert reports  | Friday, April 20, 2018       |
| Deadline for filing summary determination motions  | Friday, April 20, 2018       |
| Expert discovery cutoff and completion   | Friday, May 11, 2018         |
| Third settlement conference  | Friday, May 11, 2018         |
| Submit third settlement conference joint report  | Wednesday, May 16, 2018      |
| Serve proposed direct exhibit lists  | Wednesday, May 16, 2018      |
| Serve proposed direct exhibits (including witness statements), with available proposed physical and demonstrative exhibits | Friday, May 18, 2018         |
| File objections to proposed direct witness statements  | Tuesday, May 29, 2018        |
| Serve proposed rebuttal exhibit lists  | Friday, June 1, 2018         |

| Event   | Date                    |
|---|-------------------------|
| File responses to objections to proposed direct witness statements  | Monday, June 4, 2018    |
| Serve proposed rebuttal exhibits (including witness statements), with available proposed rebuttal physical and demonstrative exhibits   | Friday, June 8, 2018    |
| File pre-hearing statements and briefs (private parties)  | Tuesday, June 12, 2018  |
| File requests for receipt of evidence without a sponsoring witness  | Thursday, June 14, 2018 |
| Submit on electronic media proposed direct and proposed rebuttal exhibits (including witness statements) with available proposed direct and proposed rebuttal physical and demonstrative exhibits | Friday, June 15, 2018   |
| File pre-hearing statement and brief (Staff)  | Friday, June 22, 2018   |
| Deadline for filing motions <i>in limine</i>  | Friday, June 22, 2018   |
| File objections to proposed rebuttal witness statements   | Friday, June 22, 2018   |
| File responses to objections to proposed rebuttal witness statements  | Friday, June 29, 2018   |
| File responses to motions <i>in limine</i>  | Friday, July 6, 2018    |
| Pre-hearing conference  | Friday July 20, 2018    |
| Hearing Start   | Monday, July 23, 2018   |
| Hearing End   | Friday, July 27, 2018   |
| File initial post-hearing briefs addressing issues on which the party bears the burden of proof   | Friday, August 10, 2018 |
| File final exhibit lists  | Friday August 10, 2018  |

| <b>Event</b>  | <b>Date</b>                |
|---|----------------------------|
| Submit final direct and rebuttal exhibits (including witness statements) with direct and rebuttal physical and demonstrative exhibits | Friday, August 10, 2018    |
| File responsive post-hearing briefs   | Friday, August 24, 2018    |
| File reply post-hearing briefs  | Friday, August 31, 2018    |
| Initial Determination Due   | Tuesday, November 13, 2018 |
| Target date for completion of investigation   | Monday, March 11, 2019     |


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**INV. NO. 337-TA-1073**

**PUBLIC CERTIFICATE OF SERVICE**

I, Lisa R. Barton, hereby certify that the attached **Order No. 6** has been served by hand upon the Commission Investigative Attorney, **Andrew Beverina, Esq.**, and the following parties as indicated, on \_\_\_\_\_

**DEC 05 2017**



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

**FOR COMPLAINANT INTELLECTUAL VENTURES II LLC**

James M. Wodarski, Esq.  
**MINTZ, LEVIN, CHON, FERRIS, GLOVSKY,  
AND POPEO, P.C.**  
One Financial Center  
Boston, MA 02111

- Via Hand Delivery  
 Express Delivery  
 Via First Class Mail  
 Other: \_\_\_\_\_

**FOR RESPONDENTS AISIN SEIKI, CO., LTD, AISIN HOLDINGS OF AMERICA,  
INC., AISIN TECHNICAL CENTER OF AMERICA, INC. & AISIN WORLD  
CORPORATION OF AMERICA**

Eric W. Schweibenz, Esq.  
**OBLON, McCLELLAND, MAIER  
& NEUSTADT, LLP**  
1940 Duke Street  
Alexandria, VA 22314

- Via Hand Delivery  
 Express Delivery  
 Via First Class Mail  
 Other: \_\_\_\_\_

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**INV. NO. 337-TA-1073**

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| <b>FOR RESPONDENTS BAYERISCHE MOTOREN WERKE AG, BMW OF NORTH AMERICA, LLC &amp; BMW MANUFACTURING CO., LLC</b>   |  |
| Joseph P. Lavelle, Esq.<br><b>DLA PIPER LLP</b><br>500 Eighth Street N.W.<br>Washington, DC 20004  | <input type="checkbox"/> Via Hand Delivery<br><input type="checkbox"/> Express Delivery<br><input checked="" type="checkbox"/> Via First Class Mail<br><input type="checkbox"/> Other: _____ |
| <b>FOR RESPONDENTS DENSO CORPORATION &amp; DENSO INTERNATIONAL AMERICA, INC.</b>   |  |
| Louis S. Mastriani, Esq.<br><b>ADDUCI, MASTRIANI &amp; SCHAUMBERG, LLP</b><br>1133 Connecticut Avenue N.W., 12 <sup>th</sup> Floor<br>Washington, DC 20036   | <input type="checkbox"/> Via Hand Delivery<br><input type="checkbox"/> Express Delivery<br><input checked="" type="checkbox"/> Via First Class Mail<br><input type="checkbox"/> Other: _____ |
| <b>FOR RESPONDENTS HONDA MOTOR CO., LTD., HONDA NORTH AMERICA, INC., AMERICAN HONDA MOTOR CO., INC., HONDA OF AMERICA MFG., INC., HONDA MANUFACTURING OF ALABAMA, LLC &amp; HONDA R&amp;D AMERICAS, INC.</b> |  |
| Bert C. Reiser, Esq.<br><b>LATHAM &amp; WATKINS LLP</b><br>555 Eleventh Street N.W., Suite 1000<br>Washington, DC 20004  | <input type="checkbox"/> Via Hand Delivery<br><input type="checkbox"/> Express Delivery<br><input checked="" type="checkbox"/> Via First Class Mail<br><input type="checkbox"/> Other: _____ |
| <b>FOR RESPONDENTS MITSUBA CORPORATION &amp; AMERICAN MITSUBA CORPORATION</b>  |  |
| Helena D. Kiepura, Esq.<br><b>KIRKLAND &amp; ELLIS LLP</b><br>655 Fifteenth Street N.W.<br>Washington, DC 20005  | <input type="checkbox"/> Via Hand Delivery<br><input type="checkbox"/> Express Delivery<br><input checked="" type="checkbox"/> Via First Class Mail<br><input type="checkbox"/> Other: _____ |

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| <b>FOR RESPONDENTS NIDEC CORPORATION &amp; NIDEC AUTOMOTIVE AMERICAS, LLC.</b>   |  |
| John Flock, Esq.<br><b>ANDREWS KURTH KENYON LLP</b><br>One Broadway<br>New York, NY 10004-1007   | <input type="checkbox"/> Via Hand Delivery<br><input type="checkbox"/> Express Delivery<br><input checked="" type="checkbox"/> Via First Class Mail<br><input type="checkbox"/> Other: _____ |
| <b>FOR RESPONDENTS TOYOTA MOTOR CORPORATON, TOYOTA MOTOR NORTH AMERICA, INC., TOYOTA MOTOR SALES, U.S.A., INC., TOYOTA MOTOR ENGINEERING &amp; MANUFACTURING NORTH AMERICA, INC., TOYOTA MOTOR MANUFACTURING, INDIANA, INC. &amp; TOYOTA MOTOR MANUFACTURING, KENTUCKY, INC.</b> |  |
| James R. Barney, Esq.<br><b>FINNEGAN, HENDERSON, FARABOW,<br/>GARRETT &amp; DUNNER LLP</b><br>901 New York Avenue N.W.<br>Washington, DC 20001   | <input type="checkbox"/> Via Hand Delivery<br><input type="checkbox"/> Express Delivery<br><input checked="" type="checkbox"/> Via First Class Mail<br><input type="checkbox"/> Other: _____ |