

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

CERTAIN COLLABORATIVE SYSTEM
PRODUCTS AND COMPONENTS
THEREOF

Inv. No. 337-TA-682

RECEIVED
OFC OF THE SECRETARY
US INTL TRADE COMM
2009 SEP -9 PM 3:53

ORDER NO. 4: SETTING PROCEDURAL SCHEDULE

(September 9, 2009)

Pursuant to Order Nos. 2 and 3, the parties submitted a joint proposed procedural schedule.

The Investigation will hereby be controlled by the procedural schedule attached hereto as Appendix A.

SO ORDERED.


E. James Gildea
Administrative Law Judge

APPENDIX A

PROCEDURAL SCHEDULE & DATES

First settlement conference	September 25, 2009
Submission of first settlement conference joint report	October 2, 2009
Deadline for proposals requesting a Markman hearing	October 15, 2009
File identification of expert witnesses, including their expertise and curriculum vitae	October 23, 2009
File tentative list of witnesses a party will call to testify at the hearing, with an identification of each witness' relationship to the party	October 23, 2009
Parties exchange list of patent claim terms for construction	November 4, 2009
Parties exchange proposed construction of claim terms	November 13, 2009
File notice of prior art	November 20, 2009
Parties submit a joint list showing each party's proposed construction of the disputed claim terms	November 24, 2009¹
Exchange of initial expert reports (identify tests/surveys/data)	December 18, 2009
Deadline for contention interrogatory responses	December 18, 2009
Exchange of rebuttal expert reports	January 13, 2010
Second settlement conference	January 15, 2010
Submission of second settlement conference joint report	January 22, 2010
Fact discovery cutoff and completion	January 28, 2010

¹ Absent a showing of good cause, the parties will be bound by their proposed constructions for disputed claim terms on the date the joint submission of disputed claim terms is due. See Order No. 2, at 3.

Deadline for filing summary determination motions	January 29, 2010
Deadline for motions to compel discovery	February 5, 2010
Expert discovery cutoff and completion	February 5, 2010
Exchange of exhibit lists among the parties	February 17, 2010
Submit and serve direct exhibits (including witness statements), with physical and demonstrative exhibits available -- Complainant(s) and Respondent(s)	February 19, 2010
Submit and serve direct exhibits (including witness statements), with physical and demonstrative exhibits available -- Staff	February 24, 2010
File objections to direct exhibits (including witness statements)	February 26, 2010
Submit and serve rebuttal exhibits (including witness statements), with rebuttal physical and demonstrative exhibits available -- all parties	February 26, 2010
Third settlement conference	March 5, 2010
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	March 5, 2010
File Pre-hearing statements and briefs -- Complainant(s) and Respondent(s)	March 5, 2010
File requests for receipt of evidence without a witness	March 5, 2010
Submission of third settlement conference joint report	March 9, 2010
File responses to objections to direct exhibits (including witness statements)	March 9, 2010
Deadline for motions <i>in limine</i>	March 15, 2010
File objections to rebuttal exhibits (including witness statements)	March 15, 2010

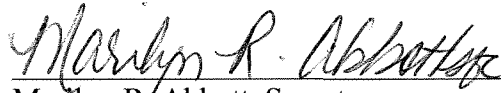
File Pre-hearing statement and brief -- Staff	March 19, 2010
File response to objections to rebuttal exhibits (including witness statements)	March 19, 2010
File statement of high priority objections	March 22, 2010
Submission of declarations justifying confidentiality of exhibits	March 22, 2010
File responses to statement of high priority objections	March 25, 2010
File responses to motions <i>in limine</i>	March 25, 2010
Tutorial on technology	9:00 a.m., April 1, 2010, Hearing Room B
Pre-hearing conference	9:00 a.m., April 1, 2010, Hearing Room B
Hearing	April 1-12, 2010, Hearing Room B
File initial post-hearing briefs, proposed findings of fact and conclusions of law, and final exhibit lists	April 26, 2010
File reply post-hearing briefs, objections and rebuttals to proposed findings of fact	May 7, 2010
Final ID due	August 2, 2010
Target Date	December 2, 2010

**IN THE MATTER OF CERTAIN
COLLABORATIVE SYSTEM PRODUCTS
AND COMPONENTS THEREOF**

337-TA-682

PUBLIC CERTIFICATE OF SERVICE

I, Marilyn R. Abbott, hereby certify that the attached **ORDER** has been served by hand upon, the Commission Investigative Attorney, **Aarti Shah, Esq.**, and the following parties as indicated on September 9, 2009.



Marilyn R. Abbott, Secretary
U.S. International Trade Commission
500 E Street, SW, Room 112A
Washington, D.C. 20436

FOR COMPLAINANTS EINSTRUCTION CORPORATION:

Michael H. Selter, Esq.
MANELLI DENISON & SELTER PLLC
2000 M Street NW, Suite 700
Washington, DC 20036
P: 202-261-1000

() Via Hand Delivery
() Via Overnight Mail
(X) Via First Class Mail
() Other: _____

FOR RESPONDENTS QOMO HITEVISION, LLC:

Laurin M. Mills, Esq.
NIXON PEABODY LLP
401 9th Street NW, Suite 900
Washington, DC 20004
P: 202-585-8000

() Via Hand Delivery
() Via Overnight Mail
(X) Via First Class Mail
() Other: _____

**IN THE MATTER OF CERTAIN
COLLABORATIVE SYSTEM PRODUCTS
AND COMPONENTS THEREOF**

337-TA-682

PUBLIC MAILING LIST

Heather Hall
LEXIS - NEXIS
9443 Springboro Pike
Miamisburg, OH 45342

Via Hand Delivery
 Via Overnight Mail
 Via First Class Mail
 Other: _____

Kenneth Clair
THOMSON WEST
1100 Thirteen Street, NW, Suite 200
Washington, D.C. 20005

Via Hand Delivery
 Via Overnight Mail
 Via First Class Mail
 Other: _____