

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN MOBILE ELECTRONIC
DEVICES AND RADIO FREQUENCY
AND PROCESSING COMPONENTS
THEREOF**

Inv. No. 337-TA-1065

ORDER NO. 4: REQUESTING PROPOSED PROCEDURAL SCHEDULE

(August 24, 2017)

I have set the target date for this investigation at Monday, January 14, 2019, which is seventeen (17) months from the date the notice of investigation was published in the Federal Register. *See* Order No. 3 (Aug. 22, 2017). The final initial determination is therefore due by Friday, September 14, 2018. *Id.*

Initial Case Management Conference

Pursuant to Ground Rule 6, I will hold the initial case management conference in this Investigation on Thursday, September 7, 2017 at 2:00 p.m. The conference will be held telephonically. Complainant shall be responsible for setting up the teleconference number, ensuring a court reporter is present to transcribe the call, and filing the transcript of the teleconference on EDIS. As set forth in Ground Rule 6.3, each party shall file a case management statement two (2) business days prior to the scheduled initial case management conference, *i.e.*, on Tuesday, September 5, 2017, by the close of business.

Procedural Schedule

I hereby order that the Procedural Schedule attached hereto as Appendix A is now in effect. A technology tutorial will commence at 8:45 a.m. on Monday, January 08, 2018. The

tutorial shall be immediately followed by a *Markman* hearing, which shall conclude no later than 4:45 p.m. on Tuesday, January 09, 2018. The pre-hearing conference in this investigation shall commence at 8:45 a.m. on Friday, June 08, 2018. Immediately following the pre-hearing conference, the evidentiary hearing in this investigation shall commence. The hearing shall conclude no later than Friday, June 15, 2018. The typical hearing day shall be from 8:45 a.m. to 4:45 p.m., except on Fridays where the hearing day shall end at 11:45 a.m.

The parties shall meet and confer to propose joint deadlines for those events in the Procedural Schedule where no deadline is indicated. The parties may also propose additional deadlines or modifications to the listed deadlines. The parties shall include a proposed joint procedural schedule at the time they file their initial case management statements.

SO ORDERED.

A handwritten signature in black ink, reading "Thomas B. Pender", with a long horizontal flourish extending to the right.

Thomas B. Pender
Administrative Law Judge

Appendix A

Procedural Schedule for Inv. No. 337-TA-1065

Event	Date
Initial Case Management Conference	Thursday, September 07, 2017
Deadline for Propounding Ground Rule 6.2 Interrogatories	
File identification of expert witnesses, including their expertise and curriculum vitae	
Deadline for Ground Rule 7.1 Disclosure of Priority Dates and Dates of Conception/Reduction to Practice	
Exchange list of claim terms for construction	
Exchange proposed claim constructions	
File joint claim construction chart	Monday, November 20, 2017
Deadline for Ground Rule 7.2 Disclosure of Products	
First settlement conference	
Submit first settlement conference joint report	
Deadline for Ground Rule 7.3 Disclosure of Domestic Industry Contentions	
File initial claim construction briefs	Monday, December 04, 2017
File reply claim construction briefs	Monday, December 18, 2017
Deadline for Ground Rule 7.4 Disclosure of Infringement Contentions	
Deadline for Ground Rule 7.5 Disclosure of Invalidity Contentions	
Technical Tutorial	Monday, January 08, 2018
Markman Hearing Start	Monday, January 08, 2018

Event	Date
Markman Hearing End	Tuesday, January 09, 2018
Issue Order Construing Terms (*tentative date*)	February 2018
Fact discovery cutoff and completion	
Second settlement conference	
Submit second settlement conference joint report	
Serve initial expert reports	
Serve rebuttal expert reports	
Deadline for filing summary determination motions	Friday, April 06, 2018
Expert discovery cutoff and completion	
Third settlement conference	
Submit third settlement conference joint report	
File requests for receipt of evidence without a witness	
Serve proposed exhibit lists	
Serve proposed direct exhibits (including witness statements), with available proposed physical and demonstrative exhibits	
File objections to proposed direct exhibits (including witness statements)	
File responses to objections to proposed direct exhibits (including witness statements)	
Serve proposed rebuttal exhibits (including witness statements), with available proposed rebuttal physical and demonstrative exhibits	
File pre-hearing statements and briefs	Friday, May 04, 2018

Event	Date
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, May 04, 2018
Deadline for filing motions in limine	Friday, May 11, 2018
File objections to proposed rebuttal exhibits (including witness statements)	
File responses to objections to proposed rebuttal exhibits (including witness statements)	
File responses to motions in limine	Friday, May 25, 2018
Pre-hearing conference	Friday, June 08, 2018
Hearing Start	Monday, June 11, 2018
Hearing End	Friday, June 15, 2018
File initial post-hearing briefs addressing issues on which the party bears the burden of proof	Friday, June 29, 2018
File final exhibit lists	Friday, June 29, 2018
Submit final direct and rebuttal exhibits (including witness statements) with direct and rebuttal physical and demonstrative exhibits	Friday, June 29, 2018
File responsive post-hearing briefs	Friday, July 13, 2018
File reply post-hearing briefs	Friday, July 20, 2018
Initial Determination Due	Friday, September 14, 2018
Target date for completion of investigation	Monday, January 14, 2019

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PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **Order No. 4** has been served by hand upon the Commission Investigative Attorney, **Lisa Murray, Esq.** and the following parties as indicated, on AUG 24 2017



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

FOR COMPLAINANT QUALCOMM INCORPORATED	
S. Alex Lasher, Esq. QUINN EMANUEL URQUHART & SULLIVAN LLP 777 Sixth Street NW, 11th Floor Washington, D.C. 20001	<input type="checkbox"/> Via Hand Delivery <input type="checkbox"/> Express Delivery <input checked="" type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____
FOR RESPONDENT APPLE INC.	
Lauren A. Degnan, Esq. FISH & RICHARDSON P.C. 901 15th Street NW, 7th Floor Washington, D.C. 20005	<input type="checkbox"/> Via Hand Delivery <input type="checkbox"/> Express Delivery <input checked="" type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____