

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN AUTOMATED TELLER
MACHINES, ATM MODULES,
COMPONENTS THEREOF, AND
PRODUCTS CONTAINING THE SAME**

Inv. No. 337-TA-989

Order No. 5

In response to Order No. 4, the parties to this investigation submitted proposed procedural schedules. Having considered the input of the parties, the administrative law judge has determined that this investigation shall be conducted in accordance with the following schedule:

EVENT	DATE
Complainant to file list of all products it will rely upon to satisfy domestic industry requirement (GR 6.d)	May 13, 2016
File identification of expert witnesses, including their expertise and curriculum vitae (GR 4.a)	May 24, 2016
Exchange lists of terms for construction	June 1, 2016
File Notice of Prior Art (GR 2)	June 10, 2016
Exchange proposed constructions of disputed claim terms	June 13, 2016
Exchange contention interrogatory responses regarding issues as to which the party bears the burden of proof	June 17, 2016
File joint statement regarding identification of accused products (GR 6.d)	June 13, 2016
Deadline for first settlement conference	June 16, 2016

EVENT	DATE
Deadline for meet and confer in an attempt to reconcile or otherwise limit disputed claim terms	June 22, 2016
Complainant files list of proposed representative products at issue based on complainant's infringement contentions (GR 6.d)	June 20, 2016
Submission of First Settlement Conference Joint Report	June 23, 2016
File joint list of disputed claim terms and proposed constructions thereof and joint list of claim terms that must be construed but whose meanings are not disputed and the joint proposed constructions thereof (GR 6.b)	June 24, 2016
Respondents file responses to complainants' proposed representative accused products assuming complainant's infringement contentions (GR 6.d)	June 27, 2016
Exchange contention interrogatory responses on issues for which the party does not bear the burden of proof	June 27, 2016
File tentative list of witnesses a party will call to testify at the hearing, with an identification of each witness' relationship to the Party	June 30, 2016
File a final joint stipulation regarding representative accused products (GR 6.d)	July 5, 2016
Fact discovery cutoff and completion	July 20, 2016
Deadline for motions to compel fact discovery	July 27, 2016
Deadline for second settlement conference	September 21, 2016
Submission of Second Settlement Conference Joint Report	September 28, 2016
File initial expert reports	August 8, 2016
File rebuttal expert reports	August 24, 2016
Parties to submit (to administrative law judge) PDF versions of initial and rebuttal expert reports on CD, DVD, or flash drive (GR 4.b)	August 22, 2016
Deadline for filing summary determination motions	August 30, 2016
Expert discovery cutoff and completion	September 13, 2016
Exchange of exhibit lists among the parties	September 13, 2016

EVENT	DATE
Submit and serve direct exhibits (including witness statements), with physical and demonstrative exhibits available	September 26, 2016
File objections to direct exhibits (including witness statements)	September 30, 2016
Exchange rebuttal exhibits (including witness statements), with physical and demonstrative exhibits available	October 4, 2016
File objections to rebuttal exhibits (including witness statements)	October 10, 2016
File requests for receipt of evidence without a sponsoring witness	October 10, 2016
File prehearing statements and briefs	October 12, 2016
Submit proposed exhibit lists and exhibits on a single drive, including witness statements in binders and on a single drive (GR 9.d)	October 14, 2016
Deadline for filing motions <i>in limine</i>	October 13, 2016
File high priority objections statements (GR 9.e)	October 13, 2016
Deadline for filing responses to motions <i>in limine</i>	October 20, 2016
File responses to high priority objection statements	October 20, 2016
Pre-Hearing Conference	November 1, 2016 at 10:00 a.m.
Hearing (4 Days)	November 1-4, 2016
File initial post-hearing briefs, final exhibit lists (GR 9.g), set of final exhibits (GR 9.f), and joint outline of the issues to be decided in the final ID (GR 11.a)	November 21, 2016
File reply post-hearing briefs	December 2, 2016
Deadline to submit binder set of final exhibit lists and exhibits to the Office of General Counsel (GR 9.h)	December 13, 2016
Final Initial Determination	January 31, 2017
Target Date	May 31, 2017



David P. Shaw
Administrative Law Judge

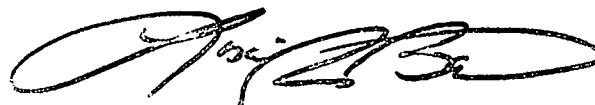
Issued: May 2, 2016

**CERTAIN AUTOMATED TELLER MACHINES, ATM MODULES, COMPONENTS
THEREOF, AND PRODUCTS CONTAINING THE SAME**

INV. NO. 337-TA-989

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **Order No. 5** has been served upon the following parties as indicated, on MAY -2 2016.



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

**FOR COMPLAINANTS NAUTILUS HYOSUNG INC. AND NAUTILUS HYOSUNG
AMERICA INC.:**

Michael C. Tyler, Esq.
FISH & RICHARDSON P.C.
1425 K Street, NW
11th Floor
Washington, DC 20005

() Via Hand Delivery
() Express Delivery
☒ Via First Class Mail
() Other: _____

**FOR RESPONDENTS DIEBOLD, INCORPORATED AND DIEBOLD SELF-SERVICE
SYSTEMS:**

Adam D. Swain, Esq.
ALSTON & BIRD LLP
950 F Street, NW
Washington, DC 20004

() Via Hand Delivery
() Express Delivery
☒ Via First Class Mail
() Other: _____