IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

WEBROOT, INC., OPEN TEXT INC.,	**§**	
	§	
Plaintiffs,	**§**	
v.	**§**	
AO KASPERSKY LAB,	**§**	**W-22-CV-00243-ADA-DTG**
TREND MICRO, INC.,	**§**	**W-22-CV-00239-ADA-DTG**
SOPHOS LTD.,	**§**	**W-22-CV-00240-ADA-DTG**
CROWDSTRIKE HOLDINGS, INC.,	**§**	**W-22-CV-00241-ADA-DTG**
FORCEPOINT, LLC,	**§**	**W-22-CV-00342-ADA-DTG**

SCHEDULING ORDER

The Court, having considered the Parties' Motions for Scheduling Order in the above-captioned (and now consolidated) cases, **HEREBY ORDERS** that the Motion should be **GRANTED** with the below modifications.

Accordingly, it is **ORDERED** that the following schedule will govern deadlines up to and including the trial of this matter:

Item	*Webroot, Inc. et al. v. AO Kaspersky, Lab*, 6:22-cv-00243-ADA-DTG	*Webroot, Inc. et al. v. CrowdStrike Holdings, Inc. et al.*, 6:22-cv-00241-ADA-DTG	*Webroot, Inc. et al. v. Forcepoint, LLC*, 6:22-cv-00342-ADA-DTG	*Webroot, Inc. et al. v. Sophos Ltd.*, 6:22-cv-00240-ADA-DTG	*Webroot, Inc. et al. v. Trend Micro, Inc.*, 6:22-cv-00239-ADA-DTG
Plaintiffs and Counter-Plaintiffs Kaspersky and Trend Micro serve preliminary	Webroot: Tuesday July 12, 2022	Webroot: Tuesday July 12, 2022	Webroot: Tuesday July 12, 2022	Webroot: Tuesday July 12, 2022	Webroot: Tuesday July 12, 2022

infringement contentions[1] in the form of a chart setting forth where in the accused product(s) each element of the asserted claim(s) are found. Plaintiffs and Counter-Plaintiffs Kaspersky and Trend Micro shall also identify the earliest priority date (*i.e.* the earliest date of invention) for each asserted claim and produce: (1) all documents evidencing conception and reduction to practice for each claimed invention, and (2) a copy of the file history for each patent in suit.	Kaspersky: Same	CrowdStrike: Same	Forcepoint: Same	Sophos: Same	Trend Micro: Same
Case Management Conference Deemed to occur	Webroot: Tuesday July 19, 2022 Kaspersky: Same	Webroot: Tuesday July 19, 2022 CrowdStrike: Same	Webroot: Tuesday July 19, 2022 Forcepoint: Same	Webroot: Tuesday July 19, 2022 Sophos: Same	Webroot: Tuesday July 19, 2022 Trend Micro: Same
Deadline to file motion for inter-district transfer. After this deadline, movants must seek leave of Court and show good cause for delay	November 16, 2022	November 16, 2022	November 16, 2022	November 16, 2022	November 16, 2022
Defendant serves preliminary invalidity contentions with	Webroot: Tuesday September 13,	Webroot: Tuesday September	Webroot: Tuesday September	Webroot: Tuesday September	Webroot: Tuesday September

[1] The parties may amend preliminary infringement contentions and preliminary invalidity contentions without leave of court so long as counsel certifies that it undertook reasonable efforts to prepare its preliminary contentions and the amendment is based on material identified after those preliminary contentions were served and should do so seasonably upon identifying any such material. Any amendment to add patent claims requires leave of court so that the Court can address any scheduling issues.

respect to patents originally asserted by Plaintiffs in the form of (1) a chart setting forth where in the prior art references each element of the asserted claim(s) are found, (2) an identification of any limitations the Defendant contends are indefinite or lack written description under section 112, and (3) an identification of any claims the Defendant contends are directed to ineligible subject matter under section 101. Defendant shall also produce (1) all prior art referenced in the invalidity contentions, and (2) technical documents, including software where applicable, sufficient to show the operation of the accused product(s).	2022	13, 2022	13, 2022	13, 2022	13, 2022
Parties exchange claim terms for construction for patents asserted by Plaintiffs.	Webroot: Tuesday September 20, 2022 Kaspersky: Same	Webroot: Tuesday September 20, 2022 CrowdStrike: Same	Webroot: Tuesday September 20, 2022 Forcepoint: Same	Webroot: Tuesday September 20, 2022 Sophos: Same	Webroot: Tuesday September 20, 2022 Trend Micro: Same
Parties exchange proposed claim constructions for patents asserted by Plaintiffs.	Webroot: Tuesday October 4, 2022 Kaspersky: Same	Webroot: Tuesday October 4, 2022 CrowdStrike: Same	Webroot: Tuesday October 4, 2022 Forcepoint: Same	Webroot: Tuesday October 4, 2022 Sophos: Same	Webroot: Tuesday October 4, 2022 Trend Micro: Same

Counterclaim-Plaintiffs serve preliminary infringement contentions with respect to patents added by Counterclaim in the form of a chart setting forth where in the accused product(s) each element of the asserted claim(s) are found. Counterclaim-Plaintiff shall also identify the earliest priority date (*i.e.* the earliest date of invention) for each asserted claim and produce: (1) all documents evidencing conception and reduction to practice for each claimed invention, and (2) a copy of the file history for each patent in suit.	Friday October 7, 2022	Friday October 7, 2022	Friday October 7, 2022	Friday October 7, 2022	Friday October 7, 2022
Parties disclose extrinsic evidence for patents originally asserted by Plaintiffs. The parties shall disclose any extrinsic evidence, including the identity of any expert witness they may rely upon with respect to claim construction or indefiniteness. With respect to any expert identified, the parties shall identify the scope of the topics for the witness's expected testimony. With respect to items of extrinsic evidence, the	Webroot: Tuesday October 11, 2022 Kaspersky: Same	Webroot: Tuesday October 11, 2022 CrowdStrike: Same	Webroot: Tuesday October 11, 2022 Forcepoint: Same	Webroot: Tuesday October 11, 2022 Sophos: Same	Webroot: Tuesday October 11, 2022 Trend Micro: Same

parties shall identify each such item by production number or produce a copy of any such item if not previously produced.					
Plaintiff serves preliminary infringement contentions with respect to patents Plaintiffs added by amendment in the form of a chart setting forth where in the accused product(s) each element of the asserted claim(s) are found. Plaintiffs shall also identify the earliest priority date (*i.e.* the earliest date of invention) for each asserted claim and produce: (1) all documents evidencing conception and reduction to practice for each claimed invention, and (2) a copy of the file history for each patent in suit.	Webroot: Tuesday October 25, 2022 Kaspersky: Same	Webroot: Tuesday October 25, 2022 CrowdStrike: Same	Webroot: Tuesday October 25, 2022 Forcepoint: Same	Webroot: Tuesday October 25, 2022 Sophos: Same	Webroot: Tuesday October 25, 2022 Trend Micro: Same
Counterclaim Defendants serve preliminary invalidity contentions in the form of (1) a chart setting forth where in the prior art references each element of the asserted claim(s) are found, (2) an identification of any limitations the Counterclaim Defendants contend are indefinite or lack written description under section 112, and	Webroot:Tuesday, September 13, 2022 Kaspersky: Same	Webroot: Wednesday, November 23, 2022 CrowdStrike: Same	Webroot: Wednesday, November 23, 2022 Forcepoint: Same	Webroot: Wednesday, November 23, 2022 Sophos: Same	Webroot: Wednesday, November 23, 2022

(3) an identification of any claims the Defendant contends are directed to ineligible subject matter under section 101. Counterclaim Defendants shall also produce (1) all prior art referenced in the invalidity contentions, and (2) technical documents, including software where applicable, sufficient to show the operation of the accused product(s).					
Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions for patents asserted by Plaintiffs.	Webroot: Tuesday, October 18, 2022 Kaspersky: Same	Webroot: Tuesday, October 18, 2022 CrowdStrike: Same	Webroot: Tuesday, October 18, 2022 Forcepoint: Same	Webroot: Tuesday, October 18, 2022 Sophos: Same	Webroot: Tuesday, October 18, 2022 Trend Micro: Same
Defendant files Opening claim construction brief, including any arguments that any claim terms are indefinite, with respect to identified claim terms in patents asserted by Plaintiff.	Webroot: Tuesday, October 25, 2022 Kaspersky: Same	Webroot: Tuesday, October 25, 2022 CrowdStrike: Same	Webroot: Tuesday, October 25, 2022 Forcepoint: Same	Webroot: Tuesday, October 25, 2022 Sophos: Same	Webroot: Tuesday, October 25, 2022 Trend Micro: Same
Parties exchange claim terms for construction with respect to patents asserted by counterclaim.	Webroot: Tuesday, September 20, 2022 Kaspersky: Same	Webroot: Wednesday, November 30, 2022 CrowdStrike: Same	Webroot: Wednesday, November 30, 2022 Forcepoint: Same	Webroot: Wednesday, November 30, 2022 Sophos: Same	Webroot: Wednesday, November 30, 2022 Trend Micro: Same
Plaintiffs file Responsive claim	Webroot: Tuesday,	Webroot: Tuesday,	Webroot: Tuesday,	Webroot: Tuesday,	Webroot: Tuesday,

construction brief, with respect to claim terms in patents asserted by Plaintiffs.	November 15, 2022 Kaspersky: Same	November 15, 2022 CrowdStrike: Same	November 15, 2022 Forcepoint: Same	November 15, 2022 Sophos: Same	November 15, 2022 Trend Micro: Same
Parties exchange proposed claim constructions with respect to patents asserted by counterclaim.	Webroot: Tuesday, October 4, 2022 Kaspersky: Same	Webroot: Wednesday December 14, 2022 CrowdStrike: Same	Webroot: Wednesday, December 14, 2022 Forcepoint: Same	Webroot: Wednesday December 14, 2022 Sophos: Same	Webroot: Wednesday December 14, 2022 Trend Micro: Same
Parties disclose extrinsic evidence for patents asserted by counterclaim. The parties shall disclose any extrinsic evidence, including the identity of any expert witness they may rely upon with respect to claim construction or indefiniteness. With respect to any expert identified, the parties shall identify the scope of the topics for the witness's expected testimony. With respect to items of extrinsic evidence, the parties shall identify each such item by production number or produce a copy of any such item if not previously produced.	Webroot: Tuesday October 11, 2022 Kaspersky: Same	Webroot: Wednesday December 21, 2022 CrowdStrike: Same	Webroot: Wednesday December 21, 2022 Forcepoint: Same	Webroot: Wednesday December 21, 2022 Sophos: Same	Webroot: Wednesday December 21, 2022 Trend Micro: Same
Deadline to meet and confer to narrow terms in dispute and exchange revised lists of terms/constructions with respect to patents asserted by counterclaim.	Webroot: Tuesday October 18, 2022 Kaspersky: Same	Webroot: Wednesday December 28, 2022 CrowdStrike:	Webroot: Wednesday December 28, 2022 Forcepoint: Same	Webroot: Wednesday December 28, 2022 Sophos: Same	Webroot: Wednesday December 28, 2022 Trend Micro:

		Same			Same
Defendant files Reply claim construction brief with respect to claim terms in patents asserted by Plaintiffs.	Webroot: Friday December 2, 2022 Kaspersky: Same	Webroot: Friday December 2, 2022 CrowdStrike: Same	Webroot: Friday December 2, 2022 Forcepoint: Same	Webroot: Friday December 2, 2022 Sophos: Same	Webroot: Friday December 2, 2022 Trend Micro: Same
Counterclaim Defendants file Opening claim construction brief, including any arguments that any claim terms are indefinite with respect to patents asserted by counterclaim.	Webroot: Tuesday October 25, 2022 Kaspersky: Same	Webroot: Wednesday January 4, 2023 CrowdStrike: Same	Webroot: Wednesday January 4, 2023 Forcepoint: Same	Webroot: Wednesday January 4, 2023 Sophos: Same	Webroot: Wednesday January 4, 2023 Trend Micro: Same
Parties to jointly email the law clerks (*see* OGP at 1) to confirm their *Markman* date and to notify if any venue or jurisdictional motions remain unripe for resolution with respect to claim terms in patents asserted by Plaintiffs.	Webroot: Tuesday December 13, 2022 Kaspersky: Same	Webroot: Tuesday December 13, 2022 CrowdStrike: Same	Webroot: Tuesday December 13, 2022 Forcepoint: Same	Webroot: Tuesday December 13, 2022 Sophos: Same	Webroot: Tuesday December 13, 2022 Trend Micro: Same
Plaintiffs file a Sur-Reply claim construction brief with respect to claim terms in patents asserted by Plaintiffs.	Webroot: Tuesday December 20, 2022 Kaspersky: Same	Webroot: Tuesday December 20, 2022 CrowdStrike: Same	Webroot: Tuesday December 20, 2022 Forcepoint: Same	Webroot: Tuesday December 20, 2022 Sophos: Same	Webroot: Tuesday December 20, 2022 Trend Micro: Same
Defendant serves preliminary invalidity contentions with respect to patents Plaintiffs added by	Webroot: Tuesday December 20, 2022	Webroot: Tuesday December 20, 2022	Webroot: Tuesday December 20, 2022	Webroot: Tuesday December 20, 2022	Webroot: Tuesday December 20, 2022

amendment in the form of (1) a chart setting forth where in the prior art references each element of the asserted claim(s) are found, (2) an identification of any limitations the Defendant contends are indefinite or lack written description under section 112, and (3) an identification of any claims the Defendant contends are directed to ineligible subject matter under section 101. Defendant shall also produce (1) all prior art referenced in the invalidity contentions, and (2) technical documents, including software where applicable, sufficient to show the operation of the accused product(s).	Kaspersky: Same	CrowdStrike: Same	Forcepoint: Same	Sophos: Same	Trend Micro: Same
Parties submit Joint Claim Construction Statement and email the law clerks an editable copy with respect to claim terms in patents asserted by Plaintiffs.	Webroot: Tuesday December 27, 2022 Kaspersky: Same	Webroot: Tuesday December 27, 2022 CrowdStrike: Same	Webroot: Tuesday December 27, 2022 Forcepoint: Same	Webroot: Tuesday December 27, 2022 Sophos: Same	Webroot: Tuesday December 27, 2022 Trend Micro: Same
Counterclaim Plaintiff files Responsive claim construction brief with respect to patents asserted by counterclaim.	Webroot: Tuesday November 15, 2022 Kaspersky: Same	Webroot: Wednesday, January 25, 2023 CrowdStrike: Same	Webroot: Wednesday, January 25, 2023 Forcepoint: Same	Webroot: Wednesday, January 25, 2023 Sophos: Same	Webroot: Wednesday, January 25, 2023 Trend Micro: Same

Parties submit optional technical tutorials to the Court and technical advisor (if appointed) with respect to claim terms in patents asserted by Plaintiffs.	Webroot: Wednesday, January 4, 2023 Kaspersky: Same	Webroot: Wednesday, January 4, 2023 CrowdStrike: Same	Webroot: Wednesday, January 4, 2023 Forcepoint: Same	Webroot: Wednesday, January 4, 2023 Sophos: Same	Webroot: Wednesday, January 4, 2023 Trend Micro: Same
Parties exchange claim terms for construction for patents Plaintiffs added by amendment	Webroot: Wednesday, January 4, 2023	Webroot: Wednesday, January 4, 2023	Webroot: Wednesday, January 4, 2023	Webroot: Wednesday, January 4, 2023	Webroot: Wednesday, January 4, 2023
Markman Hearing at 9:00 a.m with respect to patents asserted by Plaintiffs. [This date is a placeholder and the Court may adjust this date as the *Markman* hearing approaches.]	**Webroot: Wednesday, January 11, 2023** **Kaspersky: Same**	**Webroot: Wednesday, January 11, 2023** **CrowdStrike: Same**	**Webroot: Wednesday, January 11, 2023** **Forcepoint: Same**	**Webroot: Wednesday, January 11, 2023** **Sophos: Same**	**Webroot: Wednesday, January 11, 2023** **Trend Micro: Same**
Parties exchange proposed claim constructions for patents Plaintiffs added by amendment	Webroot: Wednesday, January 18, 2023	Webroot: Wednesday, January 18, 2023	Webroot: Wednesday, January 18, 2023	Webroot: Wednesday, January 18, 2023	Webroot: Wednesday, January 18, 2023
Parties disclose extrinsic evidence for patents Plaintiffs added by amendment. The parties shall disclose any extrinsic evidence, including the identity of any expert witness they may rely upon with respect to claim construction or indefiniteness. With respect to any expert	Webroot: Wednesday, January 25, 2023	Webroot: Wednesday, January 25, 2023	Webroot: Wednesday, January 25, 2023	Webroot: Wednesday, January 25, 2023	Webroot: Wednesday, January 25, 2023

identified, the parties shall identify the scope of the topics for the witness's expected testimony. With respect to items of extrinsic evidence, the parties shall identify each such item by production number or produce a copy of any such item if not previously produced.					
Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions for patents Plaintiffs added by amendment.	Webroot: Wednesday, February 1, 2023 Kaspersky: Same	Webroot: Wednesday, February 1, 2023	Webroot: Wednesday, February 1, 2023	Webroot: Wednesday, February 1, 2023	Webroot: Wednesday, February 1, 2023
Defendant files Opening claim construction brief, including any arguments that any claim terms are indefinite, with respect to identified claim terms in patents Plaintiffs added by amendment. [2]	Webroot: Wednesday February 8, 2023 Kaspersky: Same	Webroot: Wednesday February 8, 2023	Webroot: Wednesday February 8, 2023	Webroot: Wednesday February 8, 2023	Webroot: Wednesday February 8, 2023
Counterclaim Defendants file Reply claim construction brief with respect to patents asserted by counterclaim.	Webroot: Friday December 2, 2022 Kaspersky: Same	Webroot: Wednesday February 8, 2023 CrowdStrike:	Webroot: Wednesday February 8, 2023 Forcepoint:	Webroot: Wednesday February 8, 2023 Sophos:	Webroot: Wednesday February 8, 2023 Trend

[2] **Forcepoint's, Crowdstrike's, Trend Micro's and Sophos' Position:** The parties shall file independent sets of briefing in each case. The hearing is to take place over multiple days (one day per case), as discussed at the August 22, 2022 status conference. *See* No. 22-241, ECF No. 50; *see, e.g.*, ECF No. 55 (Aug. 22 Hr'g Tr.) at 17:19-24. **OTI/Webroot's Position:** Defendants' position places an inordinate burden on the Court, especially when many patents are common across all cases. Consolidated briefing, as this Court has required in countless cases, is the appropriate method. Regardless, Plaintiffs will meet and confer with Defendants and hopefully reach an approach workable for the parties and the Court.

		Same	Same	Same	Micro: Same
Parties to jointly email the law clerks (*see* OGP at 1) to confirm their *Markman* date with respect to patents asserted by Counterclaim, and to notify if any venue or jurisdictional motions remain unripe for resolution with respect to claim terms in patents asserted by counterclaim.	Webroot: Tuesday December 13, 2022 Kaspersky: Same	Webroot: Wednesday February 8, 2023 CrowdStrike: Same	Webroot: Wednesday February 8, 2023 Forcepoint: Same	Webroot: Wednesday February 8, 2023 Sophos: Same	Webroot: Wednesday February 8, 2023 Trend Micro: Same
Plaintiffs file Responsive claim construction brief, with respect to claim terms in patents Plaintiffs added by amendment.	Webroot: Wednesday March 1, 2023 Kaspersky: Same	Webroot: Wednesday March 1, 2023	Webroot: Wednesday March 1, 2023	Webroot: Wednesday March 1, 2023	Webroot: Wednesday March 1, 2023
Counterclaim Plaintiff files a Sur-Reply claim construction brief with respect to patents asserted by counterclaim.	Webroot: Tuesday December 20, 2022 Kaspersky: Same	Webroot: Wednesday February 22, 2023 CrowdStrike: Same	Webroot: Wednesday February 22, 2023 Forcepoint: Same	Webroot: Wednesday February 22, 2023 Sophos: Same	Webroot: Wednesday February 22, 2023 Trend Micro: Same
Parties submit Joint Claim Construction Statement with respect to patents asserted by counterclaim and email the law clerks an editable copy. *See* General Issues Note #7 regarding providing copies of the briefing to the Court and the technical	Webroot: Tuesday December 27, 2022 Kaspersky: Same	Webroot: Monday February 27, 2023 CrowdStrike: Same	Webroot: Monday February 27, 2023 Forcepoint: Same	Webroot: Monday February 27, 2023 Sophos: Same	Webroot: Monday February 27, 2023 Trend Micro: Same

advisor (if appointed).					
Parties submit optional technical tutorials to the Court and technical advisory (if appointed) with respect to patents asserted by Counterclaim.	Webroot: Wednesday January 4, 2023 Kaspersky: Same	Webroot: Tuesday, February 28, 2023 CrowdStrike: Same	Webroot: Tuesday, February 28, 2023 Forcepoint: Same	Webroot: Tuesday, February 28, 2023 Sophos: Same	Webroot: Tuesday, February 28, 2023 Trend Micro: Same
***Markman* Hearing at 9:00 a.m. with respect to patents asserted by Counterclaim.**	**Webroot: Wednesday January 11, 2023** **Kaspersky: Same**	**Webroot: Wednesday March 8, 2023 at 9:00 a.m.**	**Webroot: Wednesday March 8, 2023 at 9:00 a.m.**	**Webroot: Wednesday March 8, 2023 at 9:00 a.m.**	**Webroot: Wednesday March 8, 2023 at 9:00 a.m.**
Defendant files Reply claim construction brief with respect to claim terms in patents Plaintiffs added by amendment.	Webroot: Wednesday March 15, 2023 Kaspersky: Same	Webroot: Wednesday March 15, 2023	Webroot: Wednesday March 15, 2023	Webroot: Wednesday March 15, 2023	Webroot: Wednesday March 15, 2023
Parties to jointly email the law clerks (*see* OGP at 1) to confirm their *Markman* date and to notify if any venue or jurisdictional motions remain unripe for resolution with respect to claim terms in patents Plaintiffs added by amendment.	Webroot: Wednesday March 15, 2023 Kaspersky: Same	Webroot: Wednesday March 15, 2023	Webroot: Wednesday March 15, 2023	Webroot: Wednesday March 15, 2023	Webroot: Wednesday March 15, 2023
Plaintiffs file a Sur-Reply claim construction brief with respect to claim terms in patents Plaintiffs added by amendment.	Webroot: Wednesday March 29, 2023 Kaspersky: Same	Webroot: Wednesday March 29, 2023	Webroot: Wednesday March 29, 2023	Webroot: Wednesday March 29, 2023	Webroot: Wednesday March 29, 2023

Parties submit Joint Claim Construction Statement and email the law clerks an editable copy with respect to claim terms in patents Plaintiffs added by amendment.	Webroot: Monday April 3, 2023 Kaspersky: Same	Webroot: Monday April 3, 2023	Webroot: Monday April 3, 2023	Webroot: Monday April 3, 2023	Webroot: Monday April 3, 2023
Parties submit optional technical tutorials to the Court and technical advisor (if appointed) with respect to claim terms in patents Plaintiffs added by amendment.	Webroot: April 5, 2023 Kaspersky: Same	Webroot: April 5, 2023	Webroot: April 5, 2023	Webroot: April 5, 2023	Webroot: April 5, 2023
***Markman* Hearing at 9:00 a.m. on patents Plaintiffs added by amendment. This date is a placeholder and the Court may adjust this date as the *Markman* hearing approaches.**	**Webroot: Monday April 17, 2023** **Kaspersky: Same**	**Webroot: Monday April 17, 2023**	**Webroot: Monday April 17, 2023**	**Webroot: Monday April 17, 2023**	**Webroot: Monday April 17, 2023**
Fact Discovery opens; deadline to serve Initial Disclosures per Rule 26(a).	Webroot: Tuesday April 18, 2023 Kaspersky: Same	Webroot: Tuesday April 18, 2023	Webroot: Tuesday April 18, 2023	Webroot: Tuesday April 18, 2023	Webroot: Tuesday April 18, 2023
Deadline to add parties.	Webroot: Monday May 29, 2023 Kaspersky: Same	Webroot: Monday May 29, 2023	Webroot: Monday May 29, 2023	Webroot: Monday May 29, 2023	Webroot: Monday May 29, 2023
Deadline to serve Final Infringement and Invalidity Contentions. After this date, leave of Court is required for any amendment to infringement or invalidity contentions. This deadline does not relieve the parties of their obligation to	Webroot: Monday June 12, 2023 Kaspersky: Same	Webroot: Monday June 12, 2023	Webroot: Monday June 12, 2023	Webroot: Monday June 12, 2023	Webroot: Monday June 12, 2023

seasonably amend if new information is identified after initial contentions.					
Deadline to amend pleadings. A motion is not required unless the amendment adds patents or patent claims. (Note: This includes amendments in response to a 12(c) motion.)	Webroot: Monday August 7, 2023 Kaspersky: Same	Webroot: Monday August 7, 2023	Webroot: Monday August 7, 2023	Webroot: Monday August 7, 2023	Webroot: Monday August 7, 2023
Deadline for the first of two meet and confers to discuss significantly narrowing the number of claims asserted and prior art references at issue. Unless the parties agree to the narrowing, they are ordered to contact the Court's law clerk to arrange a teleconference with the Court to resolve the disputed issues.	Webroot: Monday October 16, 2023 Kaspersky: Same	Webroot: Monday October 16, 2023	Webroot: Monday October 16, 2023	Webroot: Monday October 16, 2023	Webroot: Monday October 16, 2023
Close of Fact Discovery.	Webroot: Monday November 13, 2023 Kaspersky: Same	Webroot: Monday November 13, 2023	Webroot: Monday November 13, 2023	Webroot: Monday November 13, 2023	Webroot: Monday November 13, 2023
Deadline to serve Opening Expert Reports.	Webroot: Monday November 20, 2023 Kaspersky: Same	Webroot: Monday November 20, 2023	Webroot: Monday November 20, 2023	Webroot: Monday November 20, 2023	Webroot: Monday November 20, 2023
Deadline to serve Rebuttal Expert	Webroot: Monday	Webroot: Monday	Webroot: Monday	Webroot: Monday	Webroot: Monday

Reports.	December 18, 2023 Kaspersky: Same	December 18, 2023	December 18, 2023	December 18, 2023	December 18, 2023
Close of Expert Discovery.	Webroot: Tuesday, January 9, 2024 Kaspersky: Same	Webroot: Tuesday January 9, 2024	Webroot: Tuesday January 9, 2024	Webroot: Tuesday January 9, 2024	Webroot: Tuesday January 9, 2024
Deadline for the second of two meet and confers to discuss narrowing the number of claims asserted and prior art references at issue to triable limits. If it helps the parties determine these limits, the parties are encouraged to contact the Court's law clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer.	Webroot: Tuesday January 16, 2024 Kaspersky: Same	Webroot: Tuesday January 16, 2024	Webroot: Tuesday January 16, 2024	Webroot: Tuesday January 16, 2024	Webroot: Tuesday January 16, 2024
Dispositive motion deadline and *Daubert* motion deadline. See General Issues Note #7 regarding providing copies of the briefing to the Court and the technical advisor (if appointed).	Webroot: Tuesday January 23, 2024 Kaspersky: Same	Webroot: Tuesday, January 23, 2024	Webroot: Tuesday, January 23, 2024	Webroot: Tuesday, January 23, 2024	Webroot: Tuesday, January 23, 2024
Deadline to Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery and	Webroot: Tuesday February 6, 2024 Kaspersky:	Webroot: Tuesday February 6, 2024	Webroot: Tuesday February 6, 2024	Webroot: Tuesday February 6, 2024	Webroot: Tuesday February 6, 2024

deposition designations).	Same				
Deadline to Serve objections to pretrial disclosures/rebuttal disclosures.	Webroot: Tuesday February 20, 2024 Kaspersky: Same	Webroot: Tuesday February 20, 2024	Webroot: Tuesday February 20, 2024	Webroot: Tuesday February 20, 2024	Webroot: Tuesday February 20, 2024
Parties to jointly email the Court's law clerk (See OGP at 1) to confirm their pretrial conference and trial dates.	Webroot: Tuesday February 20, 2024 Kaspersky: Same	Webroot: Tuesday February 20, 2024	Webroot: Tuesday February 20, 2024	Webroot: Tuesday February 20, 2024	Webroot: Tuesday February 20, 2024
Deadline to Serve objections to rebuttal disclosures; file Motions *in limine*	Webroot: Tuesday February 27, 2024 Kaspersky: Same	Webroot: Tuesday February 27, 2024	Webroot: Tuesday February 27, 2024	Webroot: Tuesday February 27, 2024	Webroot: Tuesday February 27, 2024
Deadline to File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, discovery and deposition designations); file oppositions to motions *in limine*.	Webroot: Tuesday, March 5, 2024 Kaspersky: Same	Webroot: Tuesday March 5, 2024	Webroot: Tuesday March 5, 2024	Webroot: Tuesday March 5, 2024	Webroot: Tuesday March 5, 2024
Deadline to File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with	Webroot: Tuesday, March 12, 2024 Kaspersky: Same	Webroot: Tuesday March 12, 2024	Webroot: Tuesday March 12, 2024	Webroot: Tuesday March 12, 2024	Webroot: Tuesday March 12, 2024

the Court and email the Court Reporter, Kristie Davis at kmdaviscsr@yahoo.com Deadline to meet and confer regarding remaining objections and disputes on motions *in limine*.					
Deadline to File joint notice identifying remaining objections to pretrial disclosures and disputes on motions *in limine*.	Friday, March 15, 2024	Friday, March 15, 2024	Friday, March 15, 2024	Friday, March 15, 2024	Friday, March 15, 2024
Final Pretrial Conference. Held in person unless otherwise requested.	Webroot: Tuesday March 26, 2024 Kaspersky: Same	Webroot: Tuesday March 26, 2024	Webroot: Tuesday March 26, 2024	Webroot: Tuesday March 26, 2024	Webroot: Tuesday March 26, 2024
Jury Selection/Trial.	**Webroot: Monday April 15, 2024** **Kaspersky: Same**	**Webroot: Monday April 15, 2024**	**Webroot: Monday April 15, 2024**	**Webroot: Monday April 15, 2024**	**Webroot: Monday April 15, 2024**

So ORDERDED this 28th day of September, 2022.

DEREK T. GILLILAND
UNITED STATES MAGISTRATE JUDGE