

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

ZANOPRIMA LIFESCIENCES, LTD,

Plaintiff,

v.

HANGSEN INTERNATIONAL GROUP
LTD,

Defendant.

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Civil Action No. 6:22-cv-00268-ADA

AMENDED SCHEDULING ORDER

The Court, having considered the Parties' Joint Motion to Amend the Case Schedule and for good cause, hereby ORDERS that the pre-trial schedule for this action is amended and now follows the following schedule:

Original Deadline	Description	New Deadline
June 8, 2022	Plaintiff serves preliminary ¹ infringement contentions in the form of a chart setting forth where in the accused product(s) each element of the asserted claim(s) are found. 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.	COMPLETED
August 3, 2022	Defendant serves 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)	COMPLETED

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.

	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).	
August 17, 2022	Parties exchange claim terms for construction.	COMPLETED
August 31, 2022	Parties exchange proposed claim constructions.	COMPLETED
September 7, 2022	Parties disclose extrinsic evidence. 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. ² 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.	COMPLETED
September 14, 2022	Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions.	COMPLETED
September 21, 2022	Defendant files Opening claim construction brief, including any arguments that any claim terms are indefinite.	COMPLETED
October 12, 2022	Plaintiff files Responsive claim construction brief.	COMPLETED
October 26, 2022	Defendant files Reply claim construction brief.	COMPLETED
October 26, 2022	Parties to jointly email the law clerks (<i>see</i> OGP at 1) to confirm their <i>Markman</i> date and to notify if any venue or jurisdictional motions remain unripe for resolution.	COMPLETED
November 9, 2022	Plaintiff files a Sur-Reply claim construction brief.	COMPLETED
November 16, 2022	Parties submit optional technical tutorials to the Court and technical advisor (if appointed).	COMPLETED
November 14, 2022	Parties submit Joint Claim Construction Statement and email the law clerks an editable	COMPLETED

² Any party may utilize a rebuttal expert in response to a brief where expert testimony is relied upon by the other party.

	copy. <i>See</i> OGP General Issues Note #7 regarding providing copies of the briefing to the Court and the technical advisor (if appointed).	
Week of November 27, 2022 at the Court's discretion	<i>Markman</i> Hearing at 9:00 a.m. This date is a placeholder and the Court may adjust this date as the <i>Markman</i> hearing approaches.	January 20, 2023 at 1:30 PM D.I. 44
December 1, 2022	Fact Discovery opens; deadline to serve Initial Disclosures per Rule 26(a).	January 24, 2023
January 12, 2023	Deadline to add parties.	March 7, 2023
January 26, 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 seasonably amend if new information is identified after initial contentions.	March 21, 2023
March 23, 2023	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.)	May 16, 2023
June 1, 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.	July 25, 2023
June 29, 2023	Close of Fact Discovery.	August 22, 2023
July 10, 2023	Opening Expert Reports.	September 5, 2023
August 3, 2023	Rebuttal Expert Reports.	September 26, 2023
August 24, 2023	Close of Expert Discovery.	October 17, 2023
August 31, 2023	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.	October 24, 2023
September 11, 2023	Dispositive motion deadline and <i>Daubert</i> motion deadline.	November 6, 2023

	See OGP General Issues Note #7 regarding providing copies of the briefing to the Court and the technical advisor (if appointed).	
September 21, 2023	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery and deposition designations).	November 14, 2023
October 9, 2023	Parties to jointly email the Court's law clerk (<i>see</i> OGP at 1) to confirm their pretrial conference and trial dates.	December 4, 2023
October 5, 2023	Serve objections to pretrial disclosures/rebuttal disclosures.	November 28, 2023
October 12, 2023	Serve objections to rebuttal disclosures; file Motions <i>in limine</i> .	December 5, 2023
October 19, 2023	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, discovery and deposition designations); file oppositions to motions <i>in limine</i> .	December 12, 2023
October 26, 2023	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 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 <i>in limine</i> .	December 19, 2023
November 6, 2023	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i> .	January 2, 2024
November 9, 2023	Final Pretrial Conference. Held in person unless otherwise requested.	January 5, 2024
Week of December 4-8, 2023, or at the Court's convenience	Jury Selection/Trial.	Week of January 29, 2024, or at the Court's convenience

SIGNED this 16th day of December, 2022.

A handwritten signature in black ink, reading "Alan D Albright". The signature is written in a cursive, flowing style. The first name "Alan" is written in a simple cursive, followed by "D" and "Albright". The "D" is large and loops around the "Albright". The signature is positioned above a horizontal line.

ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE