JURY

U.S. District Court
Northern District of Texas (Dallas)
CIVIL DOCKET FOR CASE #: 3:22-cv-00732-K

Rosen Technologies LLC v. Lennox International Inc.
Assigned to: Judge Ed Kinkeade
Cause: 35:271 Patent Infringement

Date Filed: 03/30/2022
Jury Demand: Both
Nature of Suit: 830 Property Rights: Patent
Jurisdiction: Federal Question

Special Master

Special Master represented by **David O Taylor**
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Caroline Grace Duncan
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Counter Defendant

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Date Filed	#	Docket Text
03/30/2022	4	New Case Notes: A filing fee has been paid. Pursuant to Misc. Order 6, Plaintiff is provided the Notice of Right to Consent to Proceed Before A U.S. Magistrate Judge (Judge Toliver). Clerk to provide copy to plaintiff if not received electronically. (ykp) (Entered: 03/31/2022)
03/31/2022	1	COMPLAINT WITH JURY DEMAND against Lennox International Inc. filed by Rosen Technologies LLC. (Filing fee $402; Receipt number 0539-12711356) Clerk to issue summons(es). In each Notice of Electronic Filing, the judge assignment is indicated, and a link to the Judges Copy Requirements and Judge Specific Requirements is provided. The court reminds the filer that any required copy of this and future documents must be delivered to the judge, in the manner prescribed, within three business days of filing. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov, or by clicking here: Attorney Information - Bar Membership. If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Attachments: # 1 Exhibit(s) A, # 2 Exhibit(s) B, # 3 Exhibit(s) C, # 4 Exhibit(s) D, # 5 Exhibit(s) E, # 6 Exhibit(s) F, # 7 Cover Sheet) (Ni, Hao) (Entered: 03/31/2022)
03/31/2022	2	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Rosen Technologies LLC. (Clerk QC note: No affiliate entered in ECF). (Ni, Hao) (Entered: 03/31/2022)
03/31/2022	3	NOTICE of *Report on Filing Patent/Trademark (AO120)* filed by Rosen Technologies LLC (Ni, Hao) (Entered: 03/31/2022)
03/31/2022	5	Report to Patent/Trademark Office of Initiating Document. Form AO 120 e-mailed to notice_of_suit@uspto.gov. (Attachments: # 1 Additional Page(s)) (ykp) (Entered: 03/31/2022)
03/31/2022	6	Summons Issued as to Lennox International Inc. (ykp) (Entered: 03/31/2022)
04/20/2022	7	SUMMONS Returned Executed as to Lennox International Inc., served on 4/1/2022. (Ni, Hao) (Entered: 04/20/2022)
04/20/2022	8	Unopposed Motion for Extension of Time to File Answer filed by Rosen Technologies LLC (Attachments: # 1 Proposed Order) (Ni, Hao) (Entered: 04/20/2022)
04/20/2022	9	ELECTRONIC ORDER granting 8 Unopposed Motion for Extension of Time to File Answer. Lennox International Inc. answer due 6/21/2022. (Ordered by Judge Ed Kinkeade on 4/20/2022) (chmb) (Entered: 04/20/2022)
05/23/2022	10	NOTICE of Attorney Appearance by David G Wille on behalf of Lennox International Inc.. (Filer confirms contact info in ECF is current.) (Wille, David) (Entered: 05/23/2022)
05/23/2022	11	NOTICE of Attorney Appearance by Morgan Grissum Mayne on behalf of Lennox International Inc.. (Filer confirms contact info in ECF is current.) (Mayne, Morgan) (Entered: 05/23/2022)
05/24/2022	12	NOTICE of Attorney Appearance by David G Wille for Samir Bhavsar on behalf of Lennox International Inc.. (Wille, David) (Entered: 05/24/2022)
06/07/2022	13	AMENDED COMPLAINT WITH JURY DEMAND against Lennox International Inc. filed by Rosen Technologies LLC. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov, or by

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		clicking here: Attorney Information - Bar Membership. If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Attachments: # 1 Exhibit(s) A, # 2 Exhibit(s) B, # 3 Exhibit(s) C, # 4 Exhibit(s) D, # 5 Exhibit(s) E) (Moore, Stevenson) (Entered: 06/07/2022)
06/08/2022	14	Report to Patent/Trademark Office of Answer or Amended Pleading. Form AO 120 e-mailed to notice_of_suit@uspto.gov. (mjr) (Entered: 06/08/2022)
06/21/2022	15	MOTION to Dismiss filed by Lennox International Inc (Attachments: # 1 Appendix A, # 2 Declaration(s) of Morgan Mayne, # 3 Exhibit(s) 1, # 4 Exhibit(s) 2, # 5 Exhibit(s) 3, # 6 Exhibit(s) 4, # 7 Exhibit(s) 5, # 8 Proposed Order) (Wille, David) (Entered: 06/21/2022)
06/21/2022	16	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Lennox International Inc. (Clerk QC note: No affiliate entered in ECF). (Wille, David) (Entered: 06/21/2022)
06/21/2022	17	NOTICE of *Defendant's Request for Oral Hearing on its Motion to Dismiss* re: 15 MOTION to Dismiss filed by Lennox International Inc (Wille, David) (Entered: 06/21/2022)
06/21/2022	18	ORDER REQUIRING SCHEDULING CONFERENCE AND REPORT FOR CONTENTS OF SCHEDULING ORDER IN PATENT CASES. (Ordered by Judge Ed Kinkeade on 6/21/2022) (chmb) (Entered: 06/21/2022)
06/28/2022	19	MOTION for Extension of Time to File Response/Reply to 15 MOTION to Dismiss filed by Rosen Technologies LLC (Attachments: # 1 Proposed Order) (Moore, Stevenson) (Entered: 06/28/2022)
07/11/2022	20	ELECTRONIC ORDER - Before the Court is the Unopposed Motion for Extension to Respond (the "Motion") (Doc. No. 19). The Court GRANTS the Motion. The deadline for Plaintiff to respond to Defendant's Motion to Dismiss (Doc. No. 15) is hereby extended to August 11, 2022. (Ordered by Judge Ed Kinkeade on 7/11/2022) (chmb) (Entered: 07/11/2022)
07/18/2022	21	Joint STATUS REPORT *REGARDING CONTENTS OF SCHEDULING ORDER* filed by Rosen Technologies LLC. (Massand, Neal) (Entered: 07/18/2022)
08/11/2022	22	RESPONSE filed by Rosen Technologies LLC re: 15 MOTION to Dismiss (Massand, Neal) (Entered: 08/11/2022)
08/11/2022	23	Amended Joint Status Report filed by Rosen Technologies LLC. (Massand, Neal) Modified text on 8/12/2022 (mjr). (Entered: 08/11/2022)
08/12/2022	24	MOTION for Extension of Time to File Response/Reply to 22 Response/Objection filed by Lennox International Inc (Wille, David) (Entered: 08/12/2022)
08/15/2022	25	ELECTRONIC ORDER - Before the Court is Defendant Lennox Industries Inc.'s Unopposed Motion for a Two-Week Extension of Time to File a Reply to Plaintiff's Response to Defendant's Motion to Dismiss (the "Motion") (Doc. No. 24). The Court GRANTS the Motion. Defendant's Reply to Plaintiff's Response is due September 8, 2022. (Ordered by Judge Ed Kinkeade on 8/15/2022) (chmb) (Entered: 08/15/2022)
08/22/2022	26	ORDER APPOINTING SPECIAL MASTER. David O. Taylor Appointed. (Ordered by Judge Ed Kinkeade on 8/22/2022) (chmb) (Entered: 08/22/2022)
08/23/2022	27	AMENDED ORDER APPOINTING SPECIAL MASTER. David O. Taylor Appointed. (Ordered by Judge Ed Kinkeade on 8/23/2022) (chmb) (Entered: 08/23/2022)
08/24/2022	28	ELECTRONIC ORDER: Before the Court is Defendant's Request for Oral Hearing on Its Motion to Dismiss. Doc. No. 17. The Court DENIES the request at this time. However, if

		the Court later determines that a hearing is necessary, it will set a hearing. (Ordered by Judge Ed Kinkeade on 8/24/2022) (chmb) (Entered: 08/24/2022)
09/01/2022	29	SCHEDULING ORDER: Jury Trial set for 6/3/2024 09:00 AM before Judge Ed Kinkeade. Deadline for mediation is on or before 1/9/2023. Joinder of Parties due by 9/23/2022. Amended Pleadings due by 9/23/2022. Discovery due by 11/20/2023. Motions due by 12/21/2023. Pretrial Order due by 5/13/2024. Pretrial Materials due by 5/13/2024. (Ordered by Judge Ed Kinkeade on 9/1/2022) (chmb) (Entered: 09/01/2022)
09/08/2022	30	REPLY filed by Lennox International Inc re: 15 MOTION to Dismiss (Wille, David) (Entered: 09/08/2022)
09/15/2022	31	(Document Restricted) Attorney Contact Information (Sealed pursuant to order dated 9/1/2022) filed by Lennox International Inc (Wille, David) (Entered: 09/15/2022)
09/19/2022	32	Designation of Mediator by Lennox International Inc. (Wille, David) (Entered: 09/19/2022)
10/17/2022	33	ELECTRONIC AMENDED SCHEDULING ORDER: (f) Claim Construction Hearing. The court intends to rule on the claim construction issues presented in this case without hearing oral argument based on the written submissions of the parties. See N.D. Tex. LCivR 7.1(g) ("Unless otherwise directed by the presiding judge, oral argument on a motion will not be held."). However, at the request of any party or upon its own motion, the court may schedule a claim construction hearing. By **April 20, 2023**, the parties shall file a Claim Construction Chart. This Chart shall be filed in PORTRAIT format, NOT landscape. (Ordered by Judge Ed Kinkeade on 10/17/2022) (chmb) (Entered: 10/17/2022)
10/24/2022	34	Joint MOTION for Entry of Protective Order filed by Lennox International Inc (Attachments: # 1 Exhibit(s) Protective Order, # 2 Appendix A) (Wille, David) Modified text on 10/25/2022 (ygl). (Entered: 10/24/2022)
10/26/2022	35	PROTECTIVE ORDER (Ordered by Judge Ed Kinkeade on 10/26/2022) (chmb) (Entered: 10/26/2022)
10/26/2022	36	ORDER: If a party wishes to use any information subject to the Protective Order in or as part of any non-discovery motion requiring judicial resolution, that party must first move for leave to file the document under seal. In the motion to seal, the movant must (1) citing the relevant legal authorities, brief for the Court why the risks of disclosure outweigh the publics common law right of access and why no other viable alternative to sealing exists; and (2) file the document to be sealed as a sealed attachment to the motion. See N.D. Tex. Civ. R. 79.3(c). Unless otherwise ordered by the Court, the standard times for filing a response and a reply will apply. N.D. Tex. Civ. R. 7.1(e), (f). (Ordered by Judge Ed Kinkeade on 10/26/2022) (chmb) (Entered: 10/26/2022)
10/26/2022	37	MOTION Entry of Agreed Order Regarding E-Discovery (Joint) filed by Lennox International Inc (Attachments: # 1 Exhibit(s) A - Agreed ESI Order) (Wille, David) (Entered: 10/26/2022)
10/26/2022	38	ORDER REGARDING E-DISCOVERY (Ordered by Judge Ed Kinkeade on 10/26/2022) (chmb) (Entered: 10/26/2022)
11/02/2022	39	(Document Restricted) Sealed Response re: 27 Order (Sealed pursuant to order dated 8/23/2022) filed by Special Master (Taylor, David) (Entered: 11/02/2022)
11/08/2022	40	(Document Restricted) Sealed Order - The court hereby APPROVES the fees and expenses incurred in October 2022 by David Taylor as Special Master in this case. (Ordered by Judge Ed Kinkeade on 11/8/2022) (chmb) (Entered: 11/08/2022)

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12/21/2022	41	ELECTRONIC AMENDED SCHEDULING ORDER: 8. Unless otherwise stipulated or directed by order, plaintiff and defendant shall file a written designation of the name and address of each expert witness who will testify at trial and shall otherwise comply with Fed. R. Civ. P. 26(a)(2) on or before August 2, 2023. (Ordered by Judge Ed Kinkeade on 12/21/2022) (chmb) (Entered: 12/21/2022)
01/03/2023	42	(Document Restricted) SPECIAL MASTERS SUMMARY STATEMENT OF HOURS, COSTS, AND FEES FILED UNDER SEAL PURSUANT TO DOCKET NO. 27 (Sealed pursuant to order dated 8/23/2022) filed by Special Master (Taylor, David) (Entered: 01/03/2023)
01/03/2023	43	(Document Restricted) Sealed Order - The court hereby APPROVES the fees and expenses incurred in November 2022 by David Taylor as Special Master in this case. (Ordered by Judge Ed Kinkeade on 1/3/2023) (chmb) (Entered: 01/03/2023)
01/03/2023	44	(Document Restricted) SPECIAL MASTERS SUMMARY STATEMENT OF HOURS, COSTS, AND FEES FILED UNDER SEAL PURSUANT TO DOCKET NO. 27 (Sealed pursuant to order dated 8/23/2022) filed by Special Master (Taylor, David) (Entered: 01/03/2023)
01/03/2023	45	(Document Restricted) Sealed Order - The court hereby APPROVES the fees and expenses incurred in December 2022 by David Taylor as Special Master in this case. (Ordered by Judge Ed Kinkeade on 1/3/2023) (chmb) (Entered: 01/03/2023)
01/04/2023	46	MEMORANDUM OPINION AND ORDER - Before the Court is Defendant's Motion to Dismiss (the "Motion") (Doc. No. 15). Rosen Technologies LLC filed Plaintiff's Response to Defendant's Motion to Dismiss (the "Response") (Doc. No. 22), and Lennox International Inc. filed Defendant's Reply in Support of Its Motion to Dismiss (the "Reply") (Doc. No. 30). The Court has carefully considered the Motion, the Response, the Reply, the supporting exhibits, the applicable law, and the record. Because the Court finds that Plaintiff has stated a claim with respect to the eligibility of three of the asserted patents but failed to state a claim with respect to direct infringement of one of the asserted patents, the Court GRANTS IN PART and DENIES IN PART the Motion. (Ordered by Judge Ed Kinkeade on 1/4/2023) (chmb) (Entered: 01/04/2023)
01/12/2023	47	NOTICE of *Joint Mediation Report* re: 29 Scheduling Order, filed by Lennox International Inc. (Wille, David) (Entered: 01/12/2023)
01/18/2023	48	Alternative Dispute Resolution Summary filed by Jeff Kaplan. Attorneys in Attendance: Hao Ni and David G. Wille. Prv Fee: $ 7,450.00. Outcome of ADR: Parties have agreed to return for a second mediation after claim construction. (Kaplan, Jeff) Modified text on 1/19/2023 (sxf). (Entered: 01/18/2023)
01/18/2023	49	AMENDED COMPLAINT WITH JURY DEMAND against Lennox International Inc filed by Rosen Technologies LLC. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov, or by clicking here: Attorney Information - Bar Membership. If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Attachments: # 1 Exhibit(s) A, # 2 Exhibit(s) B, # 3 Exhibit(s) C, # 4 Exhibit(s) D, # 5 Exhibit(s) E) (Ni, Hao) (Entered: 01/18/2023)
02/01/2023	50	*Defendant's* ANSWER to 49 Amended Complaint,, with Jury Demand filed by Lennox International Inc. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov, or by clicking here: Attorney Information - Bar Membership. If admission requirements are not satisfied within

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		21 days, the clerk will notify the presiding judge., COUNTERCLAIM against Rosen Technologies LLC filed by Lennox International Inc (Attachments: # 1 Declaration of Morgan Mayne ISO of Defendant's Answer to Second Amended Complaint, # 2 Exhibit(s) 1, # 3 Exhibit(s) 2) (Wille, David) (Entered: 02/01/2023)
02/15/2023	51	ANSWER to Counterclaim filed by Rosen Technologies LLC. Related document: 50 Answer to Amended Complaint,,,, Counterclaim,,, (Ni, Hao) (Entered: 02/15/2023)
02/16/2023	52	Joint MOTION to Amend/Correct *Scheduling Order* filed by Rosen Technologies LLC (Attachments: # 1 Proposed Order Proposed Order) (Massand, Neal) (Entered: 02/16/2023)
02/16/2023	53	ELECTRONIC ORDER - Before the Court is the Joint Motion to Amend Scheduling Order (the "Motion"). Doc. No. 52. The Court GRANTS the Motion and amends the Scheduling Order, Doc. No. 29, as follows: (1) The Joint Claim Construction Prehearing Statement deadline is extended to February 23, 2023; (2) the deadline to file Responsive Claim Construction Briefs is extended to April 20, 2023. The Court does not set a date for a claim construction hearing at this time. Further, the page limit for Opening Claim Construction Briefs is extended to fifty (50) pages, and the page limit for Responsive Claim Construction Briefs is extended to twenty-five (25) pages. (Ordered by Judge Ed Kinkeade on 2/16/2023) (chmb) (Entered: 02/16/2023)
02/23/2023	54	Joint STATUS REPORT *JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT* filed by Rosen Technologies LLC. (Massand, Neal) (Entered: 02/23/2023)
03/12/2023	55	Unopposed MOTION to Amend/Correct *Scheduling Order* filed by Rosen Technologies LLC (Attachments: # 1 Proposed Order Proposed Order) (Massand, Neal) (Entered: 03/12/2023)
03/13/2023	56	ELECTRONIC ORDER - Before the Court is the Unopposed Motion to Amend Scheduling Order (the "Motion"). Doc. No. 55. The Court GRANTS the Motion and amends the Scheduling Order, Doc. No. 29, as follows: (1) the deadline to complete claim construction discovery is extended to April 6, 2023; (2) the deadline to file Opening Claim Construction Briefs is extended to April 20, 2023; and (3) the deadline to file Responsive Claim Construction Briefs is extended to May 11, 2023. (Ordered by Judge Ed Kinkeade on 3/13/2023) (chmb) (Entered: 03/13/2023)

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