**IN THE UNITED STATES DISTRICT COURT**
**FOR THE EASTERN DISTRICT OF TEXAS**
**MARSHALL DIVISION**

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| DIGITALDOORS, INC. | § | |
| | § | |
| v. | § | Case No. 2:22-CV-0457-JRG-RSP |
| | § | |
| INTERNATIONAL BUSINESS MACHINES CORPORATION | § | |
| | § | |

**ORDER**

This case is set for a scheduling conference in Marshall, Texas on **March 14, 2023 at 1:30 p.m.** before the Honorable Rodney Gilstrap. The purpose of the scheduling conference will be to assign a claim construction hearing date and a trial setting. The parties shall be prepared to inform the Court whether they will consent to trial before the Magistrate Judge.

The parties shall prepare and submit a proposed docket control order, a proposed discovery order and a proposed protective order, within the time periods contained in the schedule set forth hereinafter.[1] These orders shall be guided by the sample docket control, discovery, and protective orders for patent cases, which can be found on the Court's website. The sample orders include provisions that require input from the parties. If the parties are unable to reach agreement on these provisions, then the parties shall submit to the Court their competing proposals along with a summary of their disagreements in a single joint submission.

The sample orders include provisions that are mandatory and are not subject to change without showing good cause. Good cause shall not be considered to be met simply by an indication of the parties' agreement. Should either party believe good cause can be shown to alter an

[1] Timely submission of the parties' proposed docket control order, proposed discovery order and proposed protective order will be viewed by the Court as complying with the conference requirement of Rule 26(f).

otherwise mandatory provision, then such party shall file a separate motion to alter the provision after the parties have filed the proposed docket control and discovery orders with the mandatory provisions intact as previously required above.

Furthermore, it is hereby ORDERED that the following schedule of deadlines is in effect until further order of this Court:

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| 6 Weeks After Scheduling Conference | Comply with Standing Order Regarding Subject-Matter Eligibility Contentions[2] |
| 6 Weeks After Scheduling Conference | Comply with P.R. 3-3 & 3-4 (Invalidity Contentions) |
| 3 Weeks After Scheduling Conference | *File Proposed Protective Order and Comply with Paragraphs 1 & 3 of the Discovery Order (Initial and Additional Disclosures)<br><br>The Proposed Protective Order shall be filed as a separate motion with the caption indicating whether or not the proposed order is opposed in any part. |
| 2 Weeks After Scheduling Conference | *File Proposed Docket Control Order and Proposed Discovery Order<br><br>The Proposed Docket Control Order and Proposed Discovery Order shall be filed as separate motions with the caption indicating whether or not the proposed order is opposed in any part. |
| 1 Week After Scheduling Conference | Join Additional Parties |
| 2 Weeks Before Scheduling Conference | Comply with P.R. 3-1 & 3-2 (Infringement Contentions) |

**SIGNED this 7th day of February, 2023.**

ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE

[2] http://www.txed.uscourts.gov/sites/default/files/judgeFiles/EDTX%20Standing%20Order%20Re%20Subject%20Matter%20Eligibility%20Contentions%20.pdf