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The Nielsen Company (US), LLC v. TVision Insights, Inc.

1:22-cv-01345 | Delaware District Court

Division Wilmington

Judge Judge Christopher J. Burke

Filed Oct. 12, 2022

Case Flags PATENT

Nature of Suit 830 Patent

Cause 35:1 Patent Infringement

Jury Demand Plaintiff

This is an unofficial docket, to obtain verified information.

Upcoming Events

Deadlines are extracted from docket and documents

5 Days 10/13/2023	 Amended Pleadings due by 10/13/2023. SCHEDULING ORDER: Joinder of Parties due by 10/13/2023.
9 Weeks 12/11/2023	 A Motion Hearing is set for 6/12/2025 at 11:00 AM in Courtroom 2A before Judge Christopher J. Burke Claim Construction Opening Brief due by 12/11/2023.
3 Months 1/12/2024	 Claim Construction Answering Brief due by 1/12/2024.
3 Months 1/31/2024	 Claim Construction Reply Brief due by 1/31/2024.
4 Months 2/14/2024	 Claim Construction Surreply Brief due by 2/14/2024.
4 Months	 Joint Claim Construction Brief due by 2/21/2024.

2/21/2024

Upcoming Events

Deadlines are extracted from docket and documents

5 Months 3/14/2024	 A Markman Hearing is set for 3/14/2024 at 11:00 AM in Courtroom 2A before Judge Christopher J. Burke.
8 Months 6/28/2024	 Status Report due by 6/28/2024.
10 Months 8/9/2024	 Discovery due by 8/9/2024.
17 Months 3/14/2025	 Dispositive Motions due by 3/14/2025.
20 Months 6/12/2025	 A Motion Hearing is set for 6/12/2025 at 11:00 AM in Courtroom 2A before Judge Christopher J. Burke Claim Construction Opening Brief due by 12/11/2023.

Filing Date

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Docket Text

10/6/2023	65	NOTICE OF SERVICE of The Nielsen Company (US), LLC's Disclosure Regarding Proposed Terms and Constructions filed by The Nielsen Company (US), LLC.(Palapura, Bindu) (Entered: 10/06/2023)
10/6/2023	64	NOTICE OF SERVICE of The Nielsen Company (US), LLC's Responses And Objections To TVision Insights, Inc.'s Second Set Of Interrogatories (No. 8) filed by The Nielsen Company (US), LLC.(Palapura, Bindu) (Entered: 10/06/2023)
10/6/2023	63	NOTICE OF SERVICE of TVision Insights, Inc.'s Proposed Terms and Constructions filed by TVision Insights, Inc..(Russell, Andrew) (Entered: 10/06/2023)
9/14/2023	62	NOTICE of Withdrawal of Brandon R. Harper as counsel for Plaintiff by The Nielsen Company (US), LLC (Moore, David) (Entered: 09/14/2023)
9/6/2023	61	NOTICE OF SERVICE of TVision Insights, Inc.'s Second Set of Interrogatories filed by TVision Insights, Inc..(Russell, Andrew) (Entered: 09/06/2023)
9/5/2023	60	NOTICE OF SERVICE of PLAINTIFF THE NIELSEN COMPANY (US), LLC'S FIRST SUPPLEMENTAL RESPONSES AND OBJECTIONS TO DEFENDANT TVISION INSIGHTS, INC.'S INTERROGATORY NO. 4 filed by The Nielsen Company (US), LLC.(Palapura, Bindu) (Entered: 09/05/2023)
9/1/2023	59	NOTICE OF SERVICE of TVision Insights, Inc.'s First Supplemental Objections and Responses to The Nielsen Company (US), LLC's Second Set of Interrogatories (Nos. 8-10) filed by TVision Insights, Inc..(Russell, Andrew) (Entered: 09/01/2023)

Filing Date	#	Docket Text
8/23/2023		SO ORDERED D.I. 58 Stipulation filed by The Nielsen Company (US), LLC. Ordered by Judge Christopher J. Burke on <u>8/23/2023</u> . (dlb) (Entered: 08/23/2023)
8/23/2023	58	STIPULATION to Extend Certain Dates in Scheduling Order re 17 Scheduling Order,,,, by The Nielsen Company (US), LLC. (Brown, Andrew) (Entered: 08/23/2023)
8/22/2023	57	NOTICE OF SERVICE of The Nielsen Company (US), LLC's Supplemental Claim Charts [Highly Confidential Outside Attorneys' Eyes Only] filed by The Nielsen Company (US), LLC.(Brown, Andrew) (Entered: 08/22/2023)
8/18/2023	56	NOTICE OF SERVICE of TVision Insights, Inc.'s Objections and Responses to The Nielsen Company (US), LLC's Second Set of Interrogatories (Nos. 8-10) filed by TVision Insights, Inc..(Hoeschen, Nathan) (Entered: 08/18/2023)
8/8/2023		Pro Hac Vice Attorney Douglas Lewis for The Nielsen Company (US), LLC added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (apk) (Entered: 08/08/2023)
8/4/2023		SO ORDERED (37 in 1:22-cv-01344-CJB) (55 in 1:22-cv-01345-CJB) (25 in 1:23-cv-00136-GBW-CJB) (111 in 1:21-cv-01591-CJB) (112 in 1:22-cv-00057-CJB) (137 in 1:21-cv-01592-CJB) MOTION for Pro Hac Vice Appearance of Attorney Douglas Lewis of Kelley Drye & Warren LLP filed by The Nielsen Company (US), LLC. Ordered by Judge Christopher J. Burke on <u>8/4/2023</u> . Associated Cases: 1:21-cv-01591-CJB et al.(dlb) (Entered: 08/04/2023)
7/28/2023	55	MOTION for Pro Hac Vice Appearance of Attorney Douglas Lewis of Kelley Drye & Warren LLP - filed by The Nielsen Company (US), LLC. (Palapura, Bindu) (Entered: 07/28/2023)
7/27/2023		Pro Hac Vice Attorney Michael F. Heafey for TVision Insights, Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. Associated Cases: 1:21-cv-01592-CJB, 1:22-cv-00057-CJB, 1:22-cv-01345-CJB(mpb) (Entered: 07/27/2023)
7/26/2023		SO ORDERED (108 in 1:22-cv-00057-CJB, 133 in 1:21-cv-01592-CJB, 54 in 1:22-cv-01345-CJB) MOTION for Pro Hac Vice Appearance of Attorney Michael F. Heafey filed by TVision Insights, Inc., Ordered by Judge Christopher J. Burke on <u>7/26/2023</u> . Associated Cases: 1:21-cv-01592-CJB, 1:22-cv-00057-CJB, 1:22-cv-01345-CJB(dlb) (Entered: 07/26/2023)
7/25/2023	54	MOTION for Pro Hac Vice Appearance of Attorney Michael F. Heafey - filed by TVision Insights, Inc.. (Hoeschen, Nathan) (Entered: 07/25/2023)
7/19/2023	53	NOTICE OF SERVICE of The Nielsen Company (US), LLC's Second Set of Interrogatories filed by The Nielsen Company (US), LLC.(Brown, Andrew) (Entered: 07/19/2023)
6/30/2023	52	NOTICE requesting Clerk to remove Roy H. Wepner of Kelley Drye & Warren LLP as co-counsel. Reason for request: no longer working on case. (Brown, Andrew) (Entered: 06/30/2023)

Filing Date

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Docket Text

6/23/2023	51	NOTICE OF SERVICE of Defendant TVision Insights, Inc.'s Initial Invalidity Contentions regarding the '243 Patent filed by TVision Insights, Inc..(Hoeschen, Nathan) (Entered: 06/23/2023)
6/21/2023	50	Official Transcript of Motion to Strike held on <u>6/6/23</u> before Judge Christopher Burke. Court Reporter Deanna Warner, Email: deanna_warner@ded.uscourts.gov. Transcript may be viewed at the court public terminal or order/purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, it may be obtained through PACER. Redaction Request due <u>7/12/2023</u> . Redacted Transcript Deadline set for <u>7/24/2023</u> . Release of Transcript Restriction set for <u>9/19/2023</u> . (Warner, Deanna) (Entered: 06/21/2023)
6/7/2023	49	ORAL ORDER: For the reasons stated during yesterday's hearing, the Court hereby DENIES Plaintiff's Motion to Strike Defendant's Sixth Affirmative Defense of Inequitable Conduct, (D.I. 29). Ordered by Judge Christopher J. Burke on <u>6/7/2023</u> . (dlb) (Entered: 06/07/2023)
6/6/2023		Minute Entry for proceedings held before Judge Christopher J. Burke - Motion hearing held on <u>6/6/23</u> regarding D.I. 29 Motion to Strike Inequitable Conduct Defense. The Court heard argument from the parties. The Court denied the Motion to Strike. The transcript shall serve as the substance of the Court's order. (Clerk, M. Crawford) Appearances: A. Brown, J. Greenhut and S. Yovits for Plaintiff; A. Russell, E. Cohen for Defendant (Court Reporter Deanna Warner) (dlb) (Entered: 06/07/2023)
5/30/2023	48	NOTICE OF SERVICE of TVision Insights, Inc.'s Objections and Responses to The Nielsen Company (US), LLC's Second Set of Requests for Production of Documents (Nos. 121 - 122) filed by TVision Insights, Inc..(Russell, Andrew) (Entered: 05/30/2023)
5/30/2023	47	NOTICE OF SERVICE of The Nielsen Company (US), LLC's Initial Claim Charts [Highly Confidential-Outside Attorneys' Eyes Only] filed by The Nielsen Company (US), LLC.(Brown, Andrew) (Entered: 05/30/2023)
5/24/2023	46	ORAL ORDER: The Court hereby ORDERS as follows with respect to the <u>June 6, 2023</u> hearing on the inequitable conduct motions in these cases: (1) The hearing will now begin at 10:00 am in Courtroom 2A.; (2) The motion in Civil Action No. 22-1345-CJB will be argued first, and each side will have 30 minutes for argument.; (3) The motion in Civil Action No. 21-1695-MN-CJB will be argued second, and each side will have 30 minutes for argument.; (4) After these arguments have concluded, the Court will adjourn and will return thereafter to provide rulings on the motions. Counsel are reminded that each party must be represented throughout the entirety of the hearing (i.e., from 10:00 a.m. until whenever the hearing concludes) as additional questions may be asked of any party at times other than during its initially scheduled time (including even after the Court has announced its decisions).; and (5) At the same time that the parties submit to the Court versions of any slides or other demonstrative materials they will use at the hearing (i.e., by no later than 4:00 p.m. on Friday, <u>June 2, 2023</u>), the parties shall also advise the Court and opposing counsel which attorney(s) will argue each motion. Ordered by Judge Christopher J. Burke on <u>5/24/23</u> . (mlc) (Entered: 05/24/2023)

Filing Date	#	Docket Text
5/12/2023		Pro Hac Vice Attorney Eric Cohen and Jason L. Xu for TVision Insights, Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 05/12/2023)
5/12/2023		SO ORDERED (44 in 1:22-cv-01345-CJB) MOTION for Pro Hac Vice Appearance of Attorney Eric C. Cohen and Jason Xu filed by TVision Insights, Inc., (111 in 1:21-cv-01592-CJB) MOTION for Pro Hac Vice Appearance of Attorney Eric C. Cohen and Jason Xu filed by TVision Insights, Inc., (92 in 1:21-cv-01591-CJB) MOTION for Pro Hac Vice Appearance of Attorney Michael B. Eisenberg, Stephanie Lopez and David L. D'Amato filed by HyphaMetrics, Inc.. Signed by Judge Christopher J. Burke on 5/12/2023. Associated Cases: 1:21-cv-01591-CJB, 1:21-cv-01592-CJB, 1:22-cv-01345-CJB(dlb) (Entered: 05/12/2023)
5/11/2023	45	NOTICE requesting Clerk to remove Ajay S. Krishnan, Julia L. Allen, Bailey W. Heaps, Reagan E. Braun as co-counsel.. (Russell, Andrew) (Entered: 05/11/2023)
5/11/2023	44	MOTION for Pro Hac Vice Appearance of Attorney Eric C. Cohen and Jason Xu - filed by TVision Insights, Inc.. (Russell, Andrew) (Entered: 05/11/2023)
5/1/2023	43	NOTICE OF SERVICE of The Nielsen Company (US), LLC's Second Set of Requests for the Production of Documents and Things filed by The Nielsen Company (US), LLC.(Brown, Andrew) (Entered: 05/01/2023)
5/1/2023		Pro Hac Vice Attorney Jason P. Greenhut for The Nielsen Company (US), LLC, added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. Associated Cases: 1:21-cv-01591-CJB, 1:21-cv-01592-CJB, 1:22-cv-00057-CJB, 1:22-cv-01345-CJB, 1:23-cv-00136-GBW(mkr) (Entered: 05/01/2023)
4/19/2023		SO ORDERED (81 in 1:21-cv-01591-CJB) MOTION for Pro Hac Vice Appearance of Attorney Jason P. Greenhut of Kelley Drye & Warren LLP filed by The Nielsen Company (US), LLC, (79 in 1:22-cv-00057-CJB) MOTION for Pro Hac Vice Appearance of Attorney Jason P. Greenhut of Kelley Drye & Warren LLP filed by The Nielsen Company (US), LLC, (42 in 1:22-cv-01345-CJB) MOTION for Pro Hac Vice Appearance of Attorney Jason P. Greenhut of Kelley Drye & Warren LLP filed by The Nielsen Company (US), LLC. Ordered by Judge Christopher J. Burke on <u>4/19/2023</u> . Associated Cases: 1:21-cv-01591-CJB, 1:22-cv-00057-CJB, 1:22-cv-01345-CJB(dlb) (Entered: 04/19/2023)
4/17/2023	42	MOTION for Pro Hac Vice Appearance of Attorney Jason P. Greenhut of Kelley Drye & Warren LLP - filed by The Nielsen Company (US), LLC. (Brown, Andrew) (Entered: 04/17/2023)
4/17/2023	41	NOTICE OF SERVICE of Plaintiff The Nielsen Company (US), LLC's Responses to Defendant's First Document Requests (Nos. 1-108) filed by The Nielsen Company (US), LLC.(Brown, Andrew) (Entered: 04/17/2023)

Filing Date	#	Docket Text
4/17/2023	40	ORDER Setting Hearing on Motion 29 MOTION to Strike 21 Answer to Complaint [<i>Motion to Strike Defendant TVision Insights, Inc.'s Sixth Affirmative Defense of Inequitable Conduct</i>] : A Motion Hearing is set for <u>6/6/2023 at 09:30 AM</u> in Courtroom 2A before Judge Christopher J. Burke. Signed by Judge Christopher J. Burke on 4/17/2023. (dlb) Modified on 4/19/2023 (dlb). (Entered: 04/17/2023)
4/6/2023	39	NOTICE OF SERVICE of Plaintiff The Nielsen Company (US), LLC's Responses to Defendant's First Set of Interrogatories filed by The Nielsen Company (US), LLC.(Moore, David) (Entered: 04/06/2023)
3/30/2023	38	NOTICE OF SERVICE of TVision Insights, Inc.'s Objections and Responses to The Nielsen Company (US), LLC's First Set of Requests for Production (Nos. 1 - 120) filed by TVision Insights, Inc..(Hoeschen, Nathan) (Entered: 03/30/2023)
3/20/2023	37	Letter to The Honorable Christopher J. Burke from Andrew E. Russell regarding request for Oral Argument - re 29 MOTION to Strike 21 Answer to Complaint [<i>Motion to Strike Defendant TVision Insights, Inc.'s Sixth Affirmative Defense of Inequitable Conduct</i>]. (Russell, Andrew) (Entered: 03/20/2023)
3/16/2023	36	NOTICE OF SERVICE of TVision Insights, Inc.'s Objections and Responses to The Nielsen Company (US), LLC's First Set of Interrogatories filed by TVision Insights, Inc..(Russell, Andrew) (Entered: 03/16/2023)
3/15/2023	35	NOTICE OF SERVICE of TVision Insights, Inc.'s First Set of Requests for the Production of Documents and Things filed by TVision Insights, Inc..(Russell, Andrew) (Entered: 03/15/2023)
3/14/2023		Pro Hac Vice Attorney Roy H. Wepner for The Nielsen Company (US), LLC added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 03/14/2023)
3/13/2023	34	Letter REPLY BRIEF re 29 MOTION to Strike 21 Answer to Complaint [<i>Motion to Strike Defendant TVision Insights, Inc.'s Sixth Affirmative Defense of Inequitable Conduct</i>] filed by The Nielsen Company (US), LLC. (Attachments: # 1 Exhibit A)(Moore, David) (Entered: 03/13/2023)
3/13/2023		SO ORDERED D.I. 33 MOTION for Pro Hac Vice Appearance of Attorney Roy H. Wepner of Kelley Drye & Warren LLP filed by The Nielsen Company (US), LLC. Ordered by Judge Christopher J. Burke on <u>3/13/2023</u> . (dlb) (Entered: 03/13/2023)
3/10/2023	33	MOTION for Pro Hac Vice Appearance of Attorney Roy H. Wepner of Kelley Drye & Warren LLP - filed by The Nielsen Company (US), LLC. (Brown, Andrew) (Entered: 03/10/2023)
3/8/2023		Pro Hac Vice Attorney Joshua B. Long for The Nielsen Company (US), LLC added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. Associated Cases: 1:21-cv-01591-CJB et al.(mpb) (Entered: 03/08/2023)
3/7/2023	32	NOTICE OF SERVICE of Defendant TVision Insights, Inc.'s First Set of Interrogatories filed by TVision Insights, Inc..(Russell, Andrew) (Entered: 03/07/2023)

Filing Date

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Docket Text

3/3/2023	31	Letter to The Honorable Christopher J. Burke from Andrew E. Russell regarding opposition to The Nielsen Company (US) LLC's (Nielsen's) Rule 12(f) motion to strike - re 29 MOTION to Strike 21 Answer to Complaint [<i>Motion to Strike Defendant TVision Insights, Inc.'s Sixth Affirmative Defense of Inequitable Conduct</i>]. (Russell, Andrew) (Entered: 03/03/2023)
2/22/2023		SO ORDERED D.I. (28 in 1:22-cv-01345-CJB) MOTION for Pro Hac Vice Appearance of Attorney Joshua B. Long of Kelley Drye & Warren LLP filed by The Nielsen Company (US), LLC, D.I. (62 in 1:22-cv-00057-CJB) MOTION for Pro Hac Vice Appearance of Attorney Joshua B. Long of Kelley Drye & Warren LLP filed by The Nielsen Company (US), LLC, D.I. (87 in 1:21-cv-01592-CJB) MOTION for Pro Hac Vice Appearance of Attorney Joshua B. Long of Kelley Drye & Warren LLP filed by The Nielsen Company (US), LLC, and D.I. (72 in 1:21-cv-01591-CJB) MOTION for Pro Hac Vice Appearance of Attorney Joshua B. Long of Kelley Drye & Warren LLP filed by The Nielsen Company (US), LLC. Signed by Judge Christopher J. Burke on 2/22/2023. Associated Cases: 1:21-cv-01591-CJB, 1:21-cv-01592-CJB, 1:22-cv-00057-CJB, 1:22-cv-01345-CJB(dlb) (Entered: 02/22/2023)
2/20/2023	30	Letter OPENING BRIEF in Support re 29 MOTION to Strike 21 Answer to Complaint [<i>Motion to Strike Defendant TVision Insights, Inc.'s Sixth Affirmative Defense of Inequitable Conduct</i>] filed by The Nielsen Company (US), LLC. Answering Brief/Response due date per Local Rules is <u>3/6/2023</u> . (Attachments: # 1 Exhibit A)(Moore, David) (Entered: 02/20/2023)
2/20/2023	29	MOTION to Strike 21 Answer to Complaint [<i>Motion to Strike Defendant TVision Insights, Inc.'s Sixth Affirmative Defense of Inequitable Conduct</i>] - filed by The Nielsen Company (US), LLC. (Attachments: # 1 Text of Proposed Order)(Moore, David) (Entered: 02/20/2023)
2/17/2023	28	MOTION for Pro Hac Vice Appearance of Attorney Joshua B. Long of Kelley Drye & Warren LLP - filed by The Nielsen Company (US), LLC. (Brown, Andrew) (Entered: 02/17/2023)
2/14/2023	27	NOTICE OF SERVICE of The Nielsen Company (US), LLC's First Set of Requests for the Production of Documents and Things, and The Nielsen Company (US), LLC's First Set of Interrogatories filed by The Nielsen Company (US), LLC.(Palapura, Bindu) (Entered: 02/14/2023)
2/10/2023	26	NOTICE OF SERVICE of Defendant TVision Insights, Inc.'s Initial Disclosures filed by TVision Insights, Inc..(Russell, Andrew) (Entered: 02/10/2023)
2/10/2023	25	NOTICE OF SERVICE of Plaintiff The Nielsen Company (US), LLC's Initial Disclosures Pursuant To Fed. R. Civ. P. 26 (a)(1); Plaintiff The Nielsen Company (US), LLC's Disclosures Pursuant To Paragraph 4(a) Of The Delaware Default Standard For Discovery; and Plaintiff The Nielsen Company (US), LLC's Disclosures Pursuant To Paragraph 3 Of The Default Standard For Discovery Including Discovery Of Electronically Stored Information filed by The Nielsen Company (US), LLC.(Moore, David) (Entered: 02/10/2023)
2/10/2023		SO ORDERED D.I. 23 Proposed Source Code Order filed by The Nielsen Company (US), LLC. Ordered by Judge Christopher J. Burke on <u>2/10/2023</u> . (dlb) (Entered: 02/10/2023)

Filing Date	#	Docket Text
2/10/2023	24	PROTECTIVE ORDER. Signed by Judge Christopher J. Burke on 2/10/2023. (dlb) (Entered: 02/10/2023)
2/9/2023	23	PROPOSED ORDER [Source Code Access Agreement] by The Nielsen Company (US), LLC. (Moore, David) (Entered: 02/09/2023)
2/9/2023	22	PROPOSED ORDER [Stipulated Protective Order] by The Nielsen Company (US), LLC. (Moore, David) (Entered: 02/09/2023)
2/8/2023	21	AMENDED ANSWER to 1 Complaint for Patent Infringement with Jury Demand by TVision Insights, Inc.(dlb) (Entered: 02/08/2023)
2/8/2023		SO ORDERED D.I. 20 Unopposed MOTION to Amend/Correct [TVision Insights, Inc.'s Unopposed Motion to Amend its Answer] filed by TVision Insights, Inc. Ordered by Judge Christopher J. Burke on 2/8/2023. (dlb) (Entered: 02/08/2023)
2/8/2023	20	Unopposed MOTION to Amend/Correct [TVision Insights, Inc.'s Unopposed Motion to Amend its Answer] - filed by TVision Insights, Inc.. (Attachments: # 1 Text of Proposed Order, # 2 Exhibit A- Amended Answer to Complaint for Patent Infringement, # 3 Exhibit B- REDLINE)(Russell, Andrew) (Entered: 02/08/2023)
1/26/2023		SO ORDERED D.I. 19 Joint MOTION for Extension of Time to <i>various deadlines</i> filed by The Nielsen Company (US), LLC. Ordered by Judge Christopher J. Burke on 1/26/2023. (dlb) (Entered: 01/26/2023)
1/26/2023	19	Joint MOTION for Extension of Time to <i>various deadlines</i> - filed by The Nielsen Company (US), LLC. (Moore, David) (Entered: 01/26/2023)
1/24/2023	18	ORAL ORDER: The Court, having reviewed the parties' <u>January 19, 2023</u> letter, (D.I. 16), hereby ORDERS as follows: (1) With respect to the parties' dispute regarding the number of hours for depositions of fact witnesses, including third parties, the Court hereby ORDERS that each side shall be allocated a total of 45 hours for depositions of fact witnesses. Defendant persuasively points out that there will be a significant amount of overlap with respect to discovery between this case and the prior two cases involving the same parties and same accused systems, such that limiting the deposition time here should help to ease the burden of duplicative litigation. (Id. at 2-3) At the same time, this case does involve a different patent with different claim elements, and Plaintiff therefore may need to depose fact witnesses regarding some additional issues in this case. (Id. at 2) Thus, in the Court's view, 45 hours of deposition time for fact witnesses per side seems like a fair compromise. However, if either side believes that this number of hours is inappropriate as the case proceeds in light of the depositions taken in the prior cases, they are free to seek to modify the scheduling order with respect to deposition hours under Federal Rule of Civil Procedure 16(b)(4)s "good cause" standard.; and (2) With the Court having resolving the parties' sole dispute with respect to the proposed Scheduling Order, the Court has today entered that Order. To the extent that either party wishes the Court to schedule an in-person or telephonic Case Management Conference at this time, they should so inform the Court by letter. To the extent that the parties do not do so, the Court will not set a conference at this time. Ordered by Judge Christopher J. Burke on 1/24/2023. (dlb) (Entered: 01/24/2023)

Filing Date

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Docket Text

1/24/2023	17	SCHEDULING ORDER: Joinder of Parties due by <u>10/13/2023</u> . Amended Pleadings due by <u>10/13/2023</u> . Discovery due by <u>8/9/2024</u> . Status Report due by <u>6/28/2024</u> . Dispositive Motions due by <u>3/14/2025</u> . A Motion Hearing is set for <u>6/12/2025 at 11:00 AM</u> in Courtroom 2A before Judge Christopher J. Burke Claim Construction Opening Brief due by <u>12/11/2023</u> . Claim Construction Answering Brief due by <u>1/12/2024</u> . Claim Construction Reply Brief due by <u>1/31/2024</u> . Claim Construction Surreply Brief due by <u>2/14/2024</u> . Joint Claim Construction Brief due by <u>2/21/2024</u> . A Markman Hearing is set for <u>3/14/2024 at 11:00 AM</u> in Courtroom 2A before Judge Christopher J. Burke. A Pretrial Conference is set for <u>10/17/2025 at 10:00 AM</u> in Courtroom 2A before Judge Christopher J. Burke. A Jury Trial is set for <u>11/3/2025 at 09:30 AM</u> in Courtroom 2A before Judge Christopher J. Burke. Please see order for further details and deadlines. Signed by Judge Christopher J. Burke on 1/24/2023. (dlb) Modified on 1/24/2023 (apk). (Entered: 01/24/2023)
1/19/2023	16	Joint Letter to The Honorable Christopher J. Burke from David E. Moore regarding submission pursuant to the Court's Oral Order of <u>December 20, 2022</u> . (Attachments: # 1 Exhibit A-Checklist, # 2 Exhibit B-Proposed Scheduling Order)(Moore, David) (Entered: 01/19/2023)
1/6/2023		Pro Hac Vice Attorney Ajay S. Krishnan, Bailey W. Heaps, Julia L. Allen, and Reagan E. Braun for TVision Insights, Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 01/06/2023)
1/6/2023		SO ORDERED D.I. 15 MOTION for Pro Hac Vice Appearance of Attorney Ajay S. Krishnan, Julia L. Allen, Bailey W. Heaps, and Reagan E. Braun filed by TVision Insights, Inc. Ordered by Judge Christopher J. Burke on <u>1/6/2023</u> . (dlb) (Entered: 01/06/2023)
1/5/2023	15	MOTION for Pro Hac Vice Appearance of Attorney Ajay S. Krishnan, Julia L. Allen, Bailey W. Heaps, and Reagan E. Braun - filed by TVision Insights, Inc.. (Hoeschen, Nathan) (Entered: 01/05/2023)
1/4/2023		SO ORDERED D.I. 14 Joint MOTION for Extension of Time to <i>various deadlines</i> filed by The Nielsen Company (US), LLC. Ordered by Judge Christopher J. Burke on <u>1/4/2023</u> . (dlb) (Entered: 01/04/2023)
1/4/2023	14	Joint MOTION for Extension of Time to <i>various deadlines</i> - filed by The Nielsen Company (US), LLC. (Palapura, Bindu) (Entered: 01/04/2023)

Filing Date

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Docket Text

12/20/2022		ORAL ORDER: IT IS HEREBY ORDERED that the parties shall meet and confer and discuss, in person and/or by telephone, each of the matters listed on Judge Burke's Case Management Checklist ("Checklist"). Within thirty (30) days from the date of this Order, the parties shall jointly file the following: (i) a copy of the Checklist, indicating the names of Lead Counsel and Delaware Counsel for each party; (ii) a proposed Scheduling Order, which is consistent with Judge Burke's "Rule 16 Scheduling Order - Patent"; and (iii) a letter, not to exceed three pages, that contains the following: (a) a description of what this case is about; (b) the parties' positions regarding any disputes in the proposed Scheduling Order, and (c) a list of the three most significant topics (other than Scheduling Order disputes) discussed during the parties' review of the Checklist items, along with a brief description as to what was discussed as to those topics. Thereafter, the Court may schedule a Case Management Conference/Rule 16 Scheduling Conference to be held with Judge Burke. The Checklist and Scheduling Order can be found on Judge Burke's portion of the District Court's website. Ordered by Judge Christopher J. Burke on <u>12/20/2022</u> . (dlb) (Entered: 12/20/2022)
12/19/2022	13	Disclosure Statement pursuant to Rule 7.1: No Parents or Affiliates Listed filed by TVision Insights, Inc.. (Hoeschen, Nathan) (Entered: 12/19/2022)
12/19/2022	12	ANSWER to 1 Complaint with Jury Demand <i>and Affirmative Defenses</i> by TVision Insights, Inc..(Hoeschen, Nathan) (Entered: 12/19/2022)
11/7/2022		Remark: The parties should follow the Court's Standing Order Regarding Courtesy Copies, a copy of which is found on Judge Burke's portion of the District Court's webpage: CJB Standing Order re Copies (mlc) (Entered: 11/07/2022)
11/7/2022		REMARK: The parties should be aware that the Court encourages the participation of newer attorneys in courtroom proceedings and at oral argument. Please see the Court's Standing Order Regarding Courtroom Opportunities for Newer Attorneys, a link to which is provided here for the parties' convenience: http://www.ded.uscourts.gov/sites/ded/files/forms/StandingOrder2017.pdf (mlc) (Entered: 11/07/2022)
11/7/2022	11	CONSENT to Jurisdiction by U.S. Magistrate Judge. Case reassigned to Magistrate Judge Christopher J. Burke. Signed by Judge Maryellen Noreika on 11/7/2022. (dlw) (Entered: 11/07/2022)
11/2/2022		Pro Hac Vice Attorney Constantine J. Koutsoubas, Jolie Brett Schenerman, and Clifford E. Katz for The Nielsen Company (US), LLC added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 11/02/2022)
10/31/2022	10	ORAL ORDER - As the parties consented to Magistrate Judge Burke's jurisdiction in two related matters involving these same parties (C.A. Nos. 21-1592 and 22-057), IT IS HEREBY ORDERED that, on or before <u>11/7/2022</u> , the parties shall file the appropriate magistrate consent if they also consent to Magistrate Judge Burke's jurisdiction over this action and, if not, shall file a letter advising of no consent but shall in no way indicate which party does not consent. ORDERED by Judge Maryellen Noreika on <u>10/31/2022</u> . (dlw) (Entered: 10/31/2022)

Filing Date	#	Docket Text
10/31/2022		SO ORDERED re 9 STIPULATION TO EXTEND TIME for defendant TVision Insights, Inc. to move, plead, or otherwise respond to the Complaint and if TVision files a motion to dismiss the Complaint, the deadline for the Nielsen Company (US), LLC to respond to that motion (Set/Reset Answer Deadlines: TVision Insights, Inc. answer due <u>12/19/2022</u> . If motion filed, answering brief due <u>1/23/2023</u>). ORDERED by Judge Maryellen Noreika on <u>10/31/2022</u> . (dlw) (Entered: 10/31/2022)
10/31/2022	9	STIPULATION TO EXTEND TIME for defendant TVision Insights, Inc. to move, plead, or otherwise respond to the Complaint and if TVision files a motion to dismiss the Complaint, the deadline for the Nielsen Company (US), LLC to respond to that motion to <u>December 19, 2022</u> and <u>January 23, 2022</u> respectively - filed by TVision Insights, Inc.. (Hoeschen, Nathan) (Entered: 10/31/2022)
10/26/2022		Pro Hac Vice Attorney Melvin Gaddy and Steven Yovits for Gracenote, Inc. and The Nielsen Company (US), LLC added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. Associated Cases: 1:22-cv-01344-MN, 1:22-cv-01345-MN(mpb) (Entered: 10/26/2022)
10/25/2022		SO ORDERED re 8 MOTION for Pro Hac Vice Appearance of Attorney Steven Yovits, Constantine Koutsoubas, Melvin Gaddy, Clifford Katz, and Jolie Brett Schenerman of Kelley Drye & Warren LLP filed by The Nielsen Company (US), LLC. ORDERED by Judge Maryellen Noreika on <u>10/25/2022</u> . (dlw) (Entered: 10/25/2022)
10/24/2022	8	MOTION for Pro Hac Vice Appearance of Attorney Steven Yovits, Constantine Koutsoubas, Melvin Gaddy, Clifford Katz, and Jolie Brett Schenerman of Kelley Drye & Warren LLP - filed by The Nielsen Company (US), LLC. (Palapura, Bindu) (Entered: 10/24/2022)
10/21/2022	7	NOTICE requesting Clerk to remove Carson R. Bartlett as co-counsel. Reason for request: no longer with the firm of Potter Anderson & Corroon LLP. (Moore, David) (Entered: 10/21/2022)
10/19/2022		Case Assigned to Judge Maryellen Noreika. Please include the initials of the Judge (MN) after the case number on all documents filed. Associated Cases: 1:22-cv-01344-UNA, 1:22-cv-01345-UNA(nms) (Entered: 10/19/2022)
10/12/2022	6	SUMMONS Returned Executed by The Nielsen Company (US), LLC.TVion Insights, Inc. served on <u>10/12/2022</u> , answer due <u>11/2/2022</u> . (Moore, David) (Entered: 10/12/2022)
10/12/2022	5	Summons Issued as to TVision Insights, Inc. on <u>10/12/2022</u> . (mkr) (Entered: 10/12/2022)
10/12/2022	4	Disclosure Statement pursuant to Rule 7.1: identifying Other Affiliate Nielsen Holdings plc for The Nielsen Company (US), LLC filed by The Nielsen Company (US), LLC. (mkr) (Entered: 10/12/2022)
10/12/2022	3	Report to the Commissioner of Patents and Trademarks for Patent/Trademark Number(s) US 11,470,243 B2. (mkr) (Entered: 10/12/2022)
10/12/2022	2	Notice, Consent and Referral forms re: U.S. Magistrate Judge jurisdiction. (mkr) (Entered: 10/12/2022)

Filing Date**#****Docket Text**

10/12/2022	1	COMPLAINT FOR PATENT INFRINGEMENT filed with Jury Demand against TVision Insights, Inc. (Filing fee \$ 402, receipt number ADEDC-3980064.) - filed by The Nielsen Company (US), LLC. (Attachments: # 1 Exhibit A, # 2 Civil Cover Sheet) (mkr) (Entered: 10/12/2022)
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