

Nathan Ochsner, Clerk

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0	November 3, 2023, at 09:30 AM	Scheduling Conference
1	January 11, 2023	PRELIMINARY INFRINGEMENT CONTENTIONS Comply with P.R. 3-1 and P.R. 3-2. After this date, it is necessary to obtain leave of court to add and/or amend infringement contentions, pursuant to Patent Rule (P.R.) 3-7. JOIN ADDITIONAL PARTIES OR ADD NEW PATENTS AND/OR CLAIMS It is not necessary to file a motion to join additional parties before this date. Thereafter, it is necessary to obtain leave of court.

2	February 22, 2024	PRELIMINARY INVALIDITY CONTENTIONS Comply with P.R. 3-3 and 3-4. <i>After this date</i>, it is necessary to obtain leave of Court to add and/or amend invalidity contentions, pursuant to P.R. 3-7. INEQUITABLE CONDUCT ALLEGATIONS Before this date, it is not necessary to file a motion for leave to add inequitable conduct allegations. Thereafter, it is necessary to obtain leave of court to add inequitable conduct allegations.
3	March 7, 2024	EXCHANGE PROPOSED TERMS AND CLAIM ELEMENTS FOR CONSTRUCTION Comply with P.R. 4-1.
4	March 28, 2024	EXCHANGE PRELIMINARY CLAIM CONSTRUCTIONS AND EXTRINSIC EVIDENCE Comply with P.R. 4-2.
5	April 25, 2024	JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT Comply with P.R. 4-3.
6	April 25, 2024	AMEND PLEADINGS It is not necessary to file a Motion for Leave to Amend before the deadline to amend pleadings.
7	May 23, 2024	DISCOVERY DEADLINE ON CLAIM CONSTRUCTION ISSUES <i>See</i> P.R. 4-4.
8	May 30, 2024	TECHNOLOGY TUTORIAL DEADLINE Provide Court with technology tutorials (optional).
9	June 13, 2024	OPENING CLAIM CONSTRUCTION BRIEF Comply with P.R. 4-5(a)(1).
10	June 27, 2024	RESPONSIVE CLAIM CONSTRUCTION BRIEF Comply with P.R. 4-5(a)(2).
11	July 9, 2024	REPLY CLAIM CONSTRUCTION BRIEF Comply with P.R. 4-5(a)(3).

12	August 1, 2024	JOINT CLAIM CONSTRUCTION CHART Comply with P.R. 4-5(b) and (c).
13	August 9, 2024 ¹	CLAIM CONSTRUCTION (<i>MARKMAN</i>) HEARING at 10:00 a.m. at the United States District Court, Courtroom 9A, Houston, Texas.
14	[<i>Markman</i> ruling within 6 weeks after <i>Markman</i> hearing]	Court's Decision on Claim Construction (<i>Markman</i> Ruling) <u>(If ruling is late, parties may seek amendment of remaining dates in Scheduling Order.)</u>
15	October 17, 2024	DEADLINE FOR FINAL INFRINGEMENT CONTENTIONS AND TO AMEND PLEADINGS ON INFRINGEMENT CLAIMS NOTE: Except as provided in P.R. 3-6, if the amendment would affect preliminary or final infringement contentions, a motion must be made under P.R. 3-7 irrespective of whether the amendment is made before this deadline.
16	October 24, 2024	PRIVILEGE LOGS/WILLFULNESS Comply with P.R.3-8 All parties furnish privilege logs by this date.
17	November 5, 2024	DEADLINE FOR FINAL INVALIDITY CONTENTIONS AND TO AMEND PLEADINGS ON INVALIDITY CLAIMS. NOTE: Except as provided in P.R. 3-6, if the amendment would affect preliminary or final invalidity contentions, a motion must be made under P.R. 3-7 irrespective of whether the amendment is made before this deadline.
18	December 5, 2024	COMPLETION OF FACT DISCOVERY Written discovery requests are NOT timely if they are served so close to this deadline that under the Fed. R. Civ. P. the response would not be due until after this deadline.
19	December 19, 2024	DESIGNATION OF EXPERTS AND REQUIRED REPORTS OTHER THAN CLAIM CONSTRUCTION AND ATTORNEYS' FEES Party with burden of proof ("BOP") on non-construction and fees issues shall comply with Fed. R. Civ. P.26(a)(2)(A-C).

¹ Consistent with the Court's form Scheduling Order; the Parties understand that this date might be adjusted based on the Court's calendar.

20	January 16, 2025	DESIGNATION OF RESPONSIVE EXPERTS AND REQUIRED REPORTS Party not having BOP on non-construction and fees issues shall comply with Fed. R. Civ. P. 26(a)(2)(A-C).
21	February 13, 2025	COMPLETION OF EXPERT DISCOVERY
22	March 12, 2025	DISPOSITIVE AND NON-DISPOSITIVE MOTIONS DEADLINES (INCLUDING <i>DAUBERT</i> MOTIONS)
23	May 20, 2025	JOINT PRETRIAL ORDER AND MOTION IN LIMINE DEADLINE The Joint Pretrial Order will contain the pretrial disclosures required by Fed. R. Civ. P. Rule 26(a)(3), Local Rules and this Court's procedures. Plaintiff is responsible for timely filing the complete Joint Pretrial Order. Failure to file a Joint Pretrial Order timely may lead to dismissal or other sanction in accordance with the applicable rules.
24	July 18, 2025² at 1:30 p.m.	DOCKET CALL/ FINAL PRETRIAL CONFERENCE at the United States District Court, Courtroom 9A, Houston, Texas.
25	MEDIATION is REQUIRED prior to Docket Call,	MEDIATION TO BE COMPLETED BY THIS DATE The parties must select a mediator for this case. The parties and mediator must comply with S.D. TEXAS LOCAL RULE 16.
26	July 21, 2025 at 9:00 a.m.	JURY SELECTION AND TRIAL commences, subject to Court's criminal docket

It is so ORDERED.

11/3/23
Date


The Honorable Alfred H. Bennett
United States District Judge

² Consistent with the Court's form Scheduling Order; the Parties understand that this date might be adjusted based on the Court's calendar.