

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN ACTIVE MATRIX
ORGANIC LIGHT-EMITTING DIODE
DISPLAY PANELS AND MODULES
FOR MOBILE DEVICES, AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1351

ORDER NO. 11: AMENDING THE PROCEDURAL SCHEDULE

(April 10, 2023)

On March 31, 2023, Complainant Samsung Display Co., Ltd.; Respondents Apt-Ability, LLC d/b/a MobileSentrix, Mobile Defenders, LLC, DFW Imports LLC d/b/a DFW Cellphone and Parts, Electronics Universe, Inc. d/b/a Fixez.com and Repairs Universe, LLC, eTech Parts Plus, LLC, Gadgetfix Corp., Injured Gadgets, LLC, LCTech International Inc. d/b/a SEGMobile.com, Parts4Cells, Inc., Parts4LCD and Phone LCD Parts LLC, Wholesale Gadget Parts, Inc., and Mianyang BOE Optoelectronics Co., Ltd.; and the Commission Investigative Staff submitted a proposed procedural schedule in response to Order No. 8.¹ This investigation shall be conducted in accordance with the following schedule, which is attached to this order as Exhibit A.

SO ORDERED.


Bryan F. Moore
Administrative Law Judge

¹ To date, Respondents Group Vertical, LLC, Sourcely Plus, LLC, Captain Mobile Parts, Inc. and Mengtor, Inc. have not participated in the Investigation.

Exhibit A: Amended Procedural Schedule

Event	Original Deadline	Proposed Deadline
Preliminary conference	Wednesday, Mar. 8, 2023, at 10 a.m.	N/A
Exchange list of claim terms to be construed	Friday, Mar. 31, 2023	Friday, Mar. 31, 2023
Exchange list of claim terms to be construed for the '578 patent		Wednesday, Apr. 19, 2023
Exchange proposed constructions for all terms on all lists	Monday, Apr. 17, 2023	Tuesday, May 2, 2023
Complainant files list of products it plans to rely upon to satisfy the domestic industry requirement	Wednesday, Apr. 19, 2023	Wednesday, May 31, 2023
Exchange of initial expert reports on claim construction issues	Wednesday, Apr. 26, 2023	Wednesday, May 17, 2023
Exchange of rebuttal expert reports on claim construction issues	Tuesday, May 2, 2023	Thursday, May 25, 2023
Deadline for initial responses to contention interrogatories on issues for which the responding party bears the burden of proof, and on public interest (if applicable)	Wednesday, May 3, 2023	Friday, July 14, 2023
Meet and confer to discuss and limit number of disputed claim terms	Thursday, May 4, 2023	Thursday, June 1, 2023
File opening claim construction briefs	Monday, May 15, 2023	Tuesday, June 13, 2023
Deadline for initial responses to contention interrogatories on issues for which the responding party does not bear the burden of proof	Wednesday, May 17, 2023	Friday, July 29, 2023
File identification of expert witnesses, including their expertise and curriculum vitae	Friday, May 19, 2023	Thursday, July 13, 2023

Event	Original Deadline	Proposed Deadline
File responsive claim construction briefs	Thursday, May 25, 2023	Friday, June 23, 2023
Markman claim construction hearing	Thursday, June 1, 2023	Friday, June 30, 2023 at 9:00 a.m.
Submit proposed claim construction chart incorporating any revisions to date	Tuesday, June 6, 2023	Friday, July 7, 2023
File notice of prior art	Wednesday, June 14, 2023	Wednesday, Aug. 16, 2023
Deadline for final responses to contention interrogatories on issues for which the responding party bears the burden of proof, and on public interest (if applicable)	Friday, June 30, 2023	Wednesday, Sept. 6, 2023
Deadline for final responses to contention interrogatories on issues for which the responding party does not bear the burden of proof	Thursday, July 13, 2023	Friday, Sept. 15, 2023
Fact Discovery cutoff and completion	Friday, July 14, 2023	Thursday, Sept. 21, 2023
Deadline for motions to compel discovery	Tuesday, July 18, 2023	Thursday, Sept. 28, 2023
File joint statement identifying accused products	Thursday, July 20, 2023	Friday, Sept. 29, 2023
Exchange initial expert reports (identify tests/surveys/data)	Tuesday, July 25, 2023	Thursday, Oct. 5, 2023
File tentative list of witnesses a party will call to testify at the hearing, with an identification of each witness' relationship to the party	Friday, July 28, 2023	Friday, Oct. 13, 2023
Deadline for filing summary determination motions	Tuesday, Aug. 1, 2023	Wednesday, Nov. 15, 2023
Exchange rebuttal expert reports	Friday, Aug. 4, 2023	Monday, Oct. 23, 2023

Event	Original Deadline	Proposed Deadline
Expert discovery cutoff and completion	Wednesday, Aug. 16, 2023	Tuesday, Nov. 7, 2023
Deadline for motions to compel expert discovery	Friday, Aug. 18, 2023	Friday, Nov. 10, 2023
Exchange of exhibit lists among the parties	Monday, Aug. 21, 2023	Monday, Nov. 13, 2023
Complainant and Respondents serve proposed direct exhibits (including witness statements) and identify physical exhibits	Wednesday, Aug. 23, 2023	Friday, Nov. 17, 2023
Commission Investigative Attorney serves proposed direct exhibits (including witness statements) and identifies physical exhibits	Friday, Aug. 25, 2023	Tuesday, Nov. 21, 2023
File joint stipulation regarding representative accused products and domestic industry products	Friday, Aug. 25, 2023	Friday, Nov. 10, 2023
One-day mediation session	No later than Friday, Aug. 25, 2023	No later than Friday, Dec. 1, 2023
Submit joint report on mediation	Within 7 calendar days of mediation	Within 7 calendar days of mediation
Serve proposed rebuttal exhibits (including witness statements) and identify rebuttal physical	Wednesday, Aug. 30, 2023	Thursday, Nov. 30, 2023
Complainant and Respondents file pre-trial statements and briefs	Wednesday, Sept. 6, 2023	Friday, Dec. 8, 2023
Deadline for motions in limine	Friday, Sept. 15, 2023	Friday, Jan. 5, 2024
Commission investigative attorney files pre-trial statement and brief	Monday, Sept. 18, 2023	Friday, Dec. 22, 2023
Submit witness statements (and exhibits cited therein) to Box	Thursday, Sept. 21, 2023	Thursday, Jan. 11, 2024
Deadline for responses to motions in limine	Friday, Sept. 22, 2023	Friday, Jan. 12, 2024
File joint list of unopposed exhibits	Monday, Sept. 25, 2023	Tuesday, Jan. 16, 2024

Event	Original Deadline	Proposed Deadline
Final pre-hearing conference	Monday, Oct. 2, 2023, at 9:00 a.m.	Monday, Jan. 22, 2024, at 9:00 a.m.
Hearing	Monday–Friday, Oct. 2–6, 2023	Monday–Friday, Jan. 22–26, 2024
File identification of undisputed claim limitations (see Ground Rule 14.1)	Friday, Oct. 13, 2023	Friday, Feb. 2, 2024
File final exhibit list	Wednesday, Oct. 18, 2023	Wednesday, Feb. 7, 2024
Complainant and respondent file post-hearing initial briefs	Friday, Oct. 27, 2023	Friday, Feb. 9, 2024
Staff files post-hearing initial brief	Friday, Nov. 3, 2023	Friday, Feb. 9, 2024
Complainant and respondent file post-hearing responsive briefs	Friday, Nov. 17, 2023	Friday, Feb. 23, 2024
Staff files post-hearing responsive brief	Friday, Nov. 17, 2023	Friday, Feb. 23, 2024
Initial determination due	Monday, Mar. 4, 2024	Monday, June 17, 2024
Target date for completion of investigation	Wednesday, July 3, 2024	Thursday, Oct. 17, 2024

CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the parties listed have entered an appearance in the above captioned investigation, and a copy of the PUBLIC CERTIFICATE OF SERVICE was served upon the following parties via first class mail and air mail where necessary.

Document	Security	Document Type	Official Rec'd Date	Title
794044	Public	Order	04/10/2023 12:58 PM	Amending the Procedural Schedule

Service Date: April 10, 2023

/s/

Lisa R. Barton
U.S. International Trade Commission
500 E Street, S.W.
Suite 112
Washington, D.C. 20436

CERTIFICATE OF SERVICE

On behalf of Complainant Samsung Display Co., Ltd.:

Jeffrey H. Lerner, Lead Representative

Covington and Burling LLP

850 Tenth Street, NW

Washington, District of Columbia 20001, United States

202-662-6000 -- voice

202-662-6291 -- fax

jlerner@cov.com

Electronic Service

**On behalf of Respondent Mianyang BOE Optoelectronics
Technology Co., Ltd.:**

Jordan L. Coyle, Lead Representative

Orrick, Herrington & Sutcliffe LLP

1152 15th Street, NW

Washington, District of Columbia 20005, United States

202-822-1630 -- voice

202-339-8500 -- fax

jcoyle@orrick.com

Electronic Service

**On behalf of Respondent Apt-Ability, LLC d/b/a
MobileSentrix;Mobile Defenders, LLC:**

Matthew Aichele, Lead Representative

Russ August & Kabat

12424 Wilshire Blvd.

12th Floor

Los Angeles, California 90025, United States

310-826-7474 -- voice

maichele@raklaw.com

Electronic Service

**On behalf of Respondent DFW Imports LLC d/b/a DFW
Cellphone and Parts ;Electronics Universe, Inc. d/b/a
Fixez.com;Electronics Universe, Inc. d/b/a Repairs
Universe, LLC;Gadgetfix Corp. ;Injured Gadgets,
LLC;LCTech International Inc. d/b/a
SEGMobile.com;Parts4Cells, Inc.;Parts4LCD;Phone LCD
Parts LLC ;Wholesale Gadget Parts, Inc. ;eTech Parts Plus,
LLC:**

Merritt R. Blakeslee, Lead Representative

The Blakeslee Law Firm

226 Lakeside Drive

Boothbay Harbor, Maine 04538, United States

2024570180 -- voice

(202) 419-7007 -- fax

mrb@blakeslee-law.com

Electronic Service

On behalf of Respondents Group Vertical, LLC:

No designated lead counsel, Lead Representative

678 Front Ave NW Suite 135

Grand Rapids, 49504,

Serviced By Complainant

On behalf of Respondents Sourcelly Plus LLC:

No designated lead counsel, Lead Representative

549 S 48th Street, Suite 107

Tempe, 85281,

Serviced By Complainant

CERTIFICATE OF SERVICE

On behalf of Respondents Mengtor Inc. :

No designated lead counsel, Lead Representative

3612 Arden Dr, #E

El Monte, 91731,

Serviced By Complainant

On behalf of Respondents Captain Mobile Parts, Inc.:

No designated lead counsel, Lead Representative

11293 N Stemmons Freeway

Dallas, 75229,

Serviced By Complainant

On behalf of U.S. International Trade Commission :

Michael W. Maas

OUII Investigative Attorney

500 E Street, S.W.

Washington, D.C. 20436

Internal Service