

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES – GENERAL

Case No. **SACV 23-2415-GW-JDEx** Date **May 15, 2025**

Title **XI Discovery, Inc. v. Microsoft Corporation**

Present: The Honorable **GEORGE H. WU, United States District Judge**

Javier Gonzalez
Deputy Clerk

Not Reported
Court Reporter

Attorney(s) Present for Plaintiff(s):

None Present

Attorney(s) Present for Defendant(s):

None Present

Proceedings: IN CHAMBERS – SCHEDULING ORDER

Event	Date
Last Day for Defendant to File its Answer to the First Amended Complaint	5/30/2025
Last Day for Plaintiff to Respond to Motion to Dismiss	6/13/2025
Last Day for Defendant to File Reply ISO Motion to Dismiss	6/20/2025
Last Day to Amend Pleadings or Add Parties under Fed. R. Civ. P. 15	7/2/2025
Rule 26(a)(1) Disclosures	7/11/2025
Plaintiff's Initial Infringement Contentions	7/18/2025
Defendant's Initial Invalidity Contentions	8/1/2025
Service of Proposed Claim Terms for Construction	8/7/2025
Service of Preliminary Claim Constructions	8/21/2025
Joint Claim Construction Statement	8/28/2025
Opening Claim Construction Briefs	9/18/2025
Responsive Claim Construction Briefs	10/2/2025
Technology Tutorial	10/9/2025 at 8:30 a.m.

Claim Construction Hearing

10/16/2025 at 8:30
a.m.

Additionally, the Court does not see a need to delay fact discovery pending a ruling on the motion to dismiss that Microsoft anticipates filing. Microsoft also anticipates filing a motion to say pending IPR if the PTAB institutes review of Microsoft's petitions. The fact that PTAB might institute a review is not reason to stay the case at this time. The institution decisions are due on 7/27/2025. If Microsoft feels that it has a strong basis for a stay, it can file its motion before the institution decisions. If the Court denies the motion and PTAB ends up instituting review, Microsoft could renew its motion then. Also, the institution decisions will come in before the claim construction deadlines even under X1's faster schedule (which this Court has largely adopted). Microsoft would need to start preparing its invalidity contentions before then, but this alone is not a reason to delay the case schedule. Much of the work Microsoft did to prepare its IPR petitions would be useful in preparing its invalidity contentions, so it isn't starting from scratch.