

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN PHOTODYNAMIC THERAPY
SYSTEMS, COMPONENTS THEREOF,
AND PHARMACEUTICAL PRODUCTS
USED IN COMBINATION WITH THE
SAME**

Inv. No. 337-TA-1411

ORDER NO. 6: SETTING THE PROCEDURAL SCHEDULE

(September 3, 2024)

On August 27, 2024, the parties submitted a proposed procedural schedule pursuant to Order No. 5. The proposed schedule was discussed at a preliminary conference held on August 29, 2024. The parties submitted an amended schedule on August 30, 2024. This investigation shall be conducted in accordance with the following schedule.

Event	Date
<i>Exchange list of claim terms to be construed*</i>	September 12, 2024
<i>Exchange proposed constructions for all terms on all lists*</i>	September 19, 2024
Complainant files list of products it plans to rely upon to satisfy the domestic industry requirement	September 23, 2024
File Notice of Prior Art	September 23, 2024
File identification of expert witnesses, including their expertise and curriculum vitae	September 26, 2024
Meet and confer to discuss and limit number of disputed claim terms*	September 26, 2024

IPR2025-00287

Biofrontera Inc. et al v. Sun Pharmaceutical Industries, Inc.

Sun Pharmaceutical's Exhibit 2031

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Event	Date
Deadline for initial responses to contention interrogatories on issues for which the responding party bears the burden of proof	September 27, 2024
Exchange of initial expert reports on claim construction issues*	October 3, 2024
Deadline for initial responses to contention interrogatories on issues for which the responding party does not bear the burden of proof	October 11, 2024
Exchange of rebuttal expert reports on claim construction issues*	October 17, 2024
File opening claim construction briefs*	October 24, 2024
File tentative list of witnesses a party will call to testify at the hearing, with an identification of each witness' relationship to the party	November 6, 2024
File responsive claim construction briefs*	November 8, 2024
Submit proposed claim construction chart incorporating any revisions to date.	November 12, 2024
Markman claim construction hearing*	November 14, 2024
Deadline for final responses to contention interrogatories on issues for which the responding party bears the burden of proof	December 4, 2024
File joint statement identifying accused products	December 4, 2024
Deadline for final responses to contention interrogatories on issues for which the responding party does not bear the burden of proof	December 18, 2024

Event	Date
Fact Discovery cutoff and completion	December 20, 2024
Deadline to submit letters regarding fact discovery disputes	December 30, 2024
Exchange initial expert reports (identify tests/surveys/data)	January 16, 2025
Exchange rebuttal expert reports	February 13, 2025
Expert discovery cutoff and completion	March 7, 2025
Deadline to submit letters regarding expert discovery disputes	March 10, 2025
One-day mediation session	March 13, 2025
Submit joint report on mediation	March 20, 2025
Exchange of exhibit lists among the parties	March 28, 2025
File joint stipulation regarding representative accused products and representative domestic industry products	April 2, 2025
Complainant and respondent serve proposed direct exhibits (including witness statements) and identify physical exhibits	April 14, 2025
Exchange deposition designations	April 14, 2025
Deadline for filing summary determination motion	May 1, 2025
Serve proposed rebuttal exhibits (including witness statements) and identify rebuttal physical exhibits	May 12, 2025
Exchange deposition counter designations	May 12, 2025

Event	Date
Complainant and Respondents file pre-hearing statements and briefs	May 23, 2025
Exchange objections to witness statements	May 29, 2025
Deadline for motions <i>in limine</i> and high priority objections statement	June 5, 2025
File requests for receipt of evidence without a sponsoring witness	June 6, 2025
File joint list of unopposed exhibits	June 13, 2025
Deadline for responses to motions <i>in limine</i> and high priority objections statement	June 16, 2025
File responses to requests for receipt of evidence without a sponsoring witness	June 17, 2025
Submit witness statements (and exhibits cited therein) to Box	June 18, 2025
Final pre-hearing conference	June 30, 2025, 9:00am
Hearing	June 30-July 3, 2025
File identification of undisputed claim limitations (see Ground Rule 14.1)	July 9, 2025
File final exhibit list	July 15, 2025
Complainant and Respondents file post-hearing initial briefs with the Secretary and submit final exhibits with the Administrative Law Judge	July 21, 2025
Complainant and Respondents file post-hearing responsive briefs.	August 4, 2025
Initial determination due	October 1, 2025

Event	Date
Target date for completion of investigation (18-month target date)	February 2, 2026

SO ORDERED.


Bryan F. Moore
Administrative Law Judge

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	Title
831346	Public	Order	09/03/2024 04:22 PM	Setting the Procedural Schedule

Service Date: September 03, 2024

/s

Lisa R. Barton
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CERTIFICATE OF SERVICE

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