UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of **CERTAIN DISPOSABLE VAPORIZER DEVICES**	**Inv. No. 337-TA-1410**

ORDER NO. 9: PROCEDURAL SCHEDULE

(August 26, 2024)

Pursuant to Order No. 8 (August 13, 2024), Complainants RAI Strategic Holdings, Inc. ("RAI"), R.J. Reynolds Vapor Company ("RJRV"), R.J. Reynolds Tobacco Company ("RJRT"), and RAI Services Company ("RAISC") (collectively, "Complainants"), Respondents SV3 LLC d/b/a Mi-One Brands; Breeze Smoke, LLC, and Dongguan (Shenzhen) Shikai Technology Co., Ltd.; Bidi Vapor, LLC; Pastel Cartel, LLC, American Vape Company, LLC, and Affiliated Imports, LLC.; Shenzhen Kangvape Technology Co., Ltd.; Shenzhen Pingray Technology and Shenzhen Yanyang Technology Co., Ltd.; Maduro Distributors, Inc.(d/b/a The Loon); TheSy, LLC (d/b/a Element Vape); Zhuhai Qisitech Co., Ltd., Guangdong Qisitech Co., Ltd., Guangdong Fuwo Intelligent Manufacturing Co., Ltd. and Guangdong Cellular Workshop Electronics Technology Co., Ltd., Shenzhen IVPS Technology Co., Ltd., Price Point Distributors Inc. d/b/a Price Point NY (collectively, "Respondents"), and the Office of Unfair Import Investigations ("Staff") submitted a joint proposed procedural schedule for the permanent relief phase of the investigation.[1] The proposed procedural schedule complies with the framework set forth in Ground Rule 2.[2]

[1] A separate procedural schedule governs the temporary enforcement proceedings. *See* Order No. 7 (July 31, 2024).

TSMC EXHIBIT 1118
TSMC v. Marlin Semiconductor Ltd.
IPR2025-00865

The investigation shall proceed with the deadlines set forth below:

Event	**Proposed Date**
Exchange list of claim terms to be construed	October 4, 2024
Initial deadline for responses to contention interrogatories on issues for which the responding party bears the burden of proof, and on public interest issues (if applicable)	October 11, 2024
Exchange proposed claim constructions – Private Parties	October 11, 2024
Exchange proposed claim constructions - Staff	October 16, 2024
File identification of expert witnesses, including their expertise and curriculum vitae	October 18, 2024
Meet and confer to discuss and limit number of disputed claim terms	October 18, 2024
File joint status report outlining whether *Markman* hearing is required	October 21, 2024
File joint proposed claim construction chart	October 23, 2024
Initial deadline for responses to contention interrogatories on issues for which the responding party does not bear the burden of proof	October 25, 2024
Initial *Markman* Briefs if required	November 1, 2024
Exchange of initial expert reports (if any) on claim construction issues	November 1, 2024
Cut-off date for supplements to contention interrogatories on issues for which the responding party bears the burden of proof, and on public interest issues (if applicable)	November 7, 2024
Initial *Markman* Briefs if required - Staff	November 12, 2024

[2] Respondents who enter an appearance after the date of this Order should meet and confer with Complainants, Respondents, and Staff regarding the Procedural Schedule and provide any supplements in a Joint Submission within two weeks of entry of appearance. Any such submission should explain the timing of Respondents' appearance.

Event	Proposed Date
Deadline for motions to compel fact discovery	November 20, 2024
Cut-off date for supplements to contention interrogatories on issues for which the responding party does not bear the burden of proof	November 22, 2024
Fact discovery cutoff and completion	November 22, 2024
Rebuttal *Markman* Briefs if required	November 22, 2024
Exchange of rebuttal expert reports (if any) on claim construction issues	November 22, 2024
File Joint Technology Stipulation if required	December 6, 2024
Technology Tutorial and *Markman* Hearing if required	**December 13, 2024**
Exchange of initial expert reports (identify tests/surveys/data) on issues for which the party bears the burden of proof, and on public interest issues (if applicable)	December 16, 2024
File updated joint proposed claim construction chart	December 16, 2024
File notice of prior art	December 16, 2024
Exchange of rebuttal expert reports on issues for which the party does not bear the burden of proof, and on public interest issues (if applicable)	January 10, 2025
File tentative list of witnesses a party will call to testify at the hearing, with an identification of each witness' relationship to the party	January 10, 2025
Expert discovery cutoff and completion	January 24, 2025
Deadline for motions to compel expert discovery	January 31, 2025
Attendance at one-day mediation session	By February 1, 2025
Deadline for filing summary determination motions	February 6, 2025
Deadline to file requests for remote witness testimony	February 7, 2025

Event	Proposed Date
Submission of joint report on mediation	By February 7, 2025
Deadline to file responses to requests for remote witness testimony	February 14, 2025
Exchange of exhibit lists among the parties	February 17, 2025
Exchange proposed direct exhibits, with physical exhibits available – Complainant(s) and Respondent(s)	February 21, 2025
Exchange proposed direct exhibits, with physical exhibits available – Staff	February 25, 2025
Exchange proposed rebuttal exhibits, with physical exhibits available – all parties	February 28, 2025
File pre-hearing statements and briefs – Complainant(s) and Respondent(s)	March 4, 2025
File pre-hearing statement and brief – Staff	March 14, 2025
File requests for receipt of evidence without a sponsoring witness	March 14, 2025
Deadline to file motions *in limine*	March 14, 2025
Deadline to file high priority objections statement	March 14, 2025
File responses to requests for receipt of evidence without a sponsoring witness	March 21, 2025
Submit proposed exhibits to Administrative Law Judge	March 21, 2025
File responses to motions *in limine*	March 21, 2025
File responses to high priority objections statement	March 21, 2025
Pre-hearing conference	**April 4, 2025**
Hearing	**April 7-11, 2025**
File initial post-hearing briefs and exhibit lists and submit final exhibits	April 25, 2025
File reply post-hearing briefs	May 9, 2025

Event	Proposed Date
Initial Determination	**July 21, 2025**
Target date for completion of investigation	**November 24, 2025**

SO ORDERED.

Monica Bhattacharyya
Administrative Law Judge

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served via EDIS upon the Commission Investigative Attorney, **Vu Bui, Esq.,** and upon the following parties as indicated, on **August 27, 2024**.

Lisa R. Barton, Secretary
U.S. International Trade Commission
500 E Street, SW, Room 112
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On Behalf of Complainants RAI Strategic Holdings, Inc., R.J. Reynolds Tobacco Company, R.J. Reynolds Vapor Company, and RAI Services Company:

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