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16 **Additional attorneys listed on the following page*

17
18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT OF CALIFORNIA

20 SAN FRANCISCO DIVISION

21
22 LS CABLE & SYSTEM LTD.,

23 Plaintiff,

24 v.

25 APPLE INC.,

26 Defendant.

Case No. 3:24-cv-09194-JD

JOINT CASE MANAGEMENT STATEMENT

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Plaintiff LS Cable & System Ltd. (“Plaintiff” or “LS Cable”) and Defendant Apple Inc. (“Defendant” or “Apple”) jointly submit this JOINT CASE MANAGEMENT STATEMENT pursuant to Federal Rule of Civil Procedure 26(f), Civil Local Rule 16-9, the Standing Order for Civil Cases Before Judge James Donato, and the Standing Order for All Judges in the Northern District of California – Contents of Joint Case Management Statement.

1. Jurisdiction & Service

This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States, 35 U.S.C. § 1 *et seq.* Apple has been duly served with process. No parties remain to be served. LS Cable filed this case in the Northern District of California on December 18, 2024.

2. Facts

A. Nature of the Action

This is a patent infringement action involving U.S. Patent No. 8,013,568 (the “’568 Patent” or “Asserted Patent”), entitled “Contact-less chargeable battery and charging device, battery charging set, and charging control method thereof.”

On December 18, 2024, LS Cable filed a Complaint for patent infringement against Apple asserting the ’568 Patent. (ECF No. 1.) The pre-reexamination version of the Asserted Patent issued on September 6, 2011; a request for supplemental examination was filed on March 12, 2021; and a reexamination certificate issued on September 28, 2023.

On January 9, 2025, the Court granted a stipulated motion to extend the time for Apple to respond to the Complaint until March 10, 2025. (ECF No. 19.)

B. Plaintiff’s Contentions

LS Cable alleges that various elements of Apple’s product line of iPhone devices, Apple Watches, and AirPods devices infringe the Asserted Patent. LS Cable contends that Apple’s infringement has been willful and seeks at least a reasonable royalty for past, ongoing, and future infringement. As noted in the complaint, LS Cable first notified Apple of its infringement in March of 2019.

C. Defendant’s Contentions

Apple denies that it infringes any claim of the '568 Patent (directly or indirectly). Apple further contends that the '568 Patent is invalid and/or unenforceable under at least 35 U.S.C. §§ 102, 103, 112, and 305 and/or equitable doctrines. Apple denies both that LS Cable notified Apple of its alleged infringement of the '568 Patent (as modified during reexamination) and that any such alleged infringement would have been willful. Apple denies that LS Cable is entitled to any damages, injunctive relief, or any other relief. Apple reserves its rights to seek recovery of attorneys' fees, costs, and expenses. Apple reserves its rights to answer the complaint as permitted by Federal Rules of Civil Procedure and Court Order (ECF No. 19 (extending time to answer complaint)), including to assert all affirmative claims or defenses to which it is entitled.

D. Factual Issues in Dispute

At this time, the parties anticipate that the principal disputed factual issues will relate to infringement, validity, damages, and willfulness. All these issues may include both legal and factual components.

3. Legal Issues

The parties anticipate the following issues may be in dispute:

- The construction of any disputed claim terms of the '568 Patent;
- Whether Apple has directly and/or indirectly infringed any claim of the '568 Patent under 35 U.S.C. §§ 271, and, if so, whether that infringement has been willful, including without limitation due to the lack of notice of the post-reexamination claims;
- Whether any asserted claim of the '568 Patent is valid or enforceable, under at least 35 U.S.C. §§ 102, 103, 112, and/or 305;
- Whether LS Cable's claims are barred by any defense now or later raised by Apple;
- Whether LS Cable is entitled to damages under 35 U.S.C. § 284 and, if so, the amount of any such damages;
- Whether, if liability and damages are established, such damages are limited, including by 35 U.S.C. §§ 286-288, and if so, to what extent;
- Whether LS Cable is entitled to injunctive relief;

- Whether attorneys' fees, costs or expenses are recoverable by any party under 35 U.S.C. § 285.

4. Motions

Apple filed a motion to dismiss on March 10, 2025, pursuant to Fed. R. Civ. P. 12(b)(6). (Dkt. No. 29.)

5. Amendment of Pleadings

The parties do not anticipate amendments to add parties or claims at this time.

6. Evidence Preservation

The parties have met and conferred pursuant to Fed. R. Civ. P. 26(f) regarding reasonable and proportionate steps that the parties agree to take to preserve evidence relevant to the issues reasonably evident in this action. The parties confirm that they have taken appropriate steps to preserve documents, records, electronic data, and materials relevant to this lawsuit from modification or loss.

The parties have reviewed the Guidelines Relating to the Discovery of Electronically Stored Information ("ESI").

7. Disclosures

The parties served initial disclosures on March 13, 2025, pursuant to Fed. R. Civ. P. 26.

8. Discovery

A. Scope of Anticipated Discovery

The parties anticipate that the scope of discovery will encompass the factual and legal issues identified in Sections 2 and 3 above, and the requested relief discussed in Section 11 below, including related, ancillary, and subsidiary factual and legal issues and matters.

1. Plaintiff's Statement

LS Cable anticipates that it will need discovery on the following:

- i. Apple's infringement of the Asserted Patent;
- ii. Willfulness of Apple's infringement;

- iii. Damages related to Apple's infringement, including discovery of Apple's costs, sales volumes, revenues, and profits related to the Apple products, systems, and services that infringe the Asserted Patent;
- iv. Licensing/settlement agreements relevant to LS Cable's claim for damages;
- v. The structure and operation of any products, systems, and services accused of infringing the Asserted Patent; and
- vi. The dates on which Apple first made, used, sold, offered for sale, or imported the products, systems, or services accused of infringing the Asserted Patent.

2. Defendant's Statement

Apple anticipates seeking written and deposition discovery from LS Cable and third parties on the following issues:

- i. The factual bases for LS Cable's claims and defenses;
- ii. The proper constructions for the asserted claims of the '568 Patent;
- iii. The '568 patent, including, but not limited to prior art (including both publications and systems) under 35 U.S.C. §§ 102 and 103, invalidity analyses, unenforceability, conception, reduction to practice, prosecution history, assignment history, financial or ownership interests, and alleged infringement analysis;
- iv. The prosecution of the '568 Patent, including its reexamination, including its timing, rationale, and consequences;
- v. Any actual or potential licenses or assignment of ownership interests of the '568 Patent, and the products that allegedly embody the '568 Patent;
- vi. Any party with a financial interest in the litigation;
- vii. LS Cable's communications with third parties related to the '568 Patent;
- viii. LS Cable's past and current enforcement and settlement of enforcement actions for the '568 Patent and similar patents;
- ix. LS Cable's communications with Apple regarding the '568 Patent;
- x. LS Cable's pre-filing investigation and decision to file this lawsuit; and
- xi. LS Cable's allegations of damages.

B. Discovery to Date

On February 27, 2025, the parties met and conferred as required by Federal Rule of Civil Procedure 26(f) and this Court's Reassignment Order Setting CMC (ECF No. 17). The parties have not yet served any discovery requests.

C. Stipulated E-Discovery Order

The parties are in the process of negotiating the terms of a stipulated e-discovery based on the Northern District of California's Model Stipulation and Order Re: Discovery of Electronically Stored Information for Patent Litigation, as well as this Court's Standing Order for E-Discovery and Email Discovery in Patent Cases.

D. Stipulated Protective Order

The parties are in the process of negotiating the terms of a stipulated protective order based on the Northern District of California's Model Protective Order for Litigation Involving Patents, Highly Sensitive Confidential Information and/or Trade Secrets.

E. Discovery Plan/Changes to Discovery Limitations

The parties have reviewed the Standing Order for Discovery in Civil Cases Before Judge Donato. At this time, the parties agree to the following further limits on discovery, but as noted above are in the process of negotiating the terms of potential additional limitations. Both parties reserve the right to challenge unreasonably burdensome discovery requests, regardless of whether they fall within the limits described below. Both parties also reserve the right to seek leave, upon a showing of good cause, to obtain additional discovery beyond the limits described in this section. In the event that either party later wishes to modify or deviate from the limits discussed below, the parties agree to meet and confer in good faith in an attempt to resolve the issue without Court intervention.

1. Requests for Admission

Each side may propound up to twenty-five (25) requests for admission to each other party, excluding requests for admission related to authenticity of documents, so long as those related to authenticity are clearly denoted and numbered separately from those seeking other admissions.

1 **2. Requests for Production**

2 Each side may propound up to one hundred (100) requests for production to each other
3 party.

4 **3. Other Discovery**

5 With the exception of requests for admission and requests for production, the parties agree
6 to adhere to the limitations on discovery set forth in the Federal Rules of Civil Procedure, the Patent
7 Local Rules, Standing Order for Discovery in Civil Cases Before Judge Donato, and any other
8 applicable order or rule.

9 **F. Privilege**

10 The parties have reviewed the Standing Order for Discovery in Civil Cases Before Judge
11 Donato. The parties further agree to the following procedures regarding claims of privilege or
12 protection as trial-preparation materials:

- 13 a. The parties will exchange logs of information that is privileged or protected as trial
14 preparation material as set forth in Fed. R. Civ. P. 26(b)(5) on or before 45 days before the
15 close of fact discovery.
- 16 b. The parties agree that privileged or protected documents created on or after the date of the
17 filing of the Complaint need not be included on any privilege log, except as otherwise
18 agreed to by the parties or ordered by the Court.
- 19 c. The parties' logs will set forth the review number or production number of any withheld or
20 redacted document and the following information: (a) the date of recordation or preparation
21 of the document; (b) the type of document; (c) the author(s) of the document; (d) the name
22 of the document's sender and their title and/or job position; (e) the name of the document's
23 recipient(s) and their title and/or job position, including the names of those receiving copies;
24 (f) the nature and basis of the privilege claimed and whether or not the subject matter of the
25 contents of the document is limited to legal advice or information provided for the purpose
26 of securing legal advice; and (g) a brief description of the subject matter of the contents of
27 the document.
- 28

d. In accordance with Fed. R. Evid. 502 and Fed. R. Civ. P. 26(b)(5)(B), the production of information that is privileged or protected as trial-preparation material will not be deemed a waiver of any privilege or other basis to withhold the information.

G. Service by Electronic Means

The parties agree to service by email, CM/ECF, and as reasonably necessary, other secure methods of electronic file transfer. For calculating all deadlines, electronic service shall be equivalent to hand service. If a method other than electronic service is used, the serving party shall send a courtesy copy electronically. The parties also agree to exchange service lists that must be used for electronic service.

9. Class Actions

Not applicable.

10. Related Cases

Not applicable.

11. Relief

A. Plaintiff's Statement

LS Cable seeks damages adequate to compensate them for Apple's infringement of the Asserted Patent, in an amount no less than a reasonable royalty, together with prejudgment and post-judgment interest, in accordance with 35 U.S.C. § 284. LS Cable also requests the Court to enter an order that Apple's acts of infringement have been willful and award LS Cable enhanced damages in accordance with 35 U.S.C. § 284, and further seeks attorneys' fees under 35 U.S.C. § 285. LS Cable further seeks such other relief as the Court deems just and proper. LS Cable is unable to make an estimate of the damages range expected because Apple has not yet responded to LS Cable's written discovery (to be propounded) and produced the underlying documents, including, non-public information on subjects including sales volumes, revenues, profits, comparable licenses, the effect that sales of the accused products had on Apple's other products, and the emphasis and importance that Apple placed on the patented features. LS Cable will provide more detailed damages contentions in accordance with the Patent L.R. 3-8 Damages Contentions deadline set forth in the proposed case schedule in Section 17 below.

B. Defendant's Statement

Apple requests that the Court find that: (1) claim 7 (and any other claim that may be asserted) of the '568 Patent is invalid; (2) Apple has not infringed, directly or indirectly, literally or under the doctrine of equivalents, willfully or otherwise, any claim of the '568 Patent; (3) LS Cable cannot recover any damages from Apple for any infringement of the '568 Patent; (4) this case is exceptional, and award Apple its costs and attorneys' fees under 35 U.S.C. § 285; and (5) Apple shall be awarded such other relief as this Court may deem just and proper. Apple will provide responsive damages contentions in accordance with the Patent L.R. 3-9 Damages Contentions deadline set forth in the proposed case schedule in Section 17 below.

12. Settlement and ADR

Pursuant to ADR Local Rule 3-5, the parties have met and conferred and discussed ADR options and intend to stipulate to private mediation per ADR Local Rule 8-2.

13. Consent to Magistrate Judge For All Purposes

The parties decline to consent to a magistrate judge.

14. Other References

The parties do not believe that this case is suitable for reference to binding arbitration, a special master, or the Judicial Panel on Multidistrict Litigation.

15. Narrowing of Issues

The parties agree to confer in good faith after the discovery period as to stipulated facts that may expedite the presentation of evidence at trial. To the extent any additional patents are added to the case, the parties agree to engage in discussions to establish a framework for narrowing. However, given that this case currently involves a single patent, no specific proposals for narrowing the number of claims are contemplated at this time.

16. Expedited Trial Procedure

The parties do not believe that this case can be handled under the Expedited Trial Procedure of General Order No. 64.

17. Scheduling

With the exception of the deadline for parties to amend pleadings to add parties or claims, the parties are in agreement on the proposed schedule through the Patent Local Rule 4-6 Claim Construction Hearing, but the parties propose differing schedules thereafter.

EVENT	LS CABLE PROPOSED DEADLINES	APPLE PROPOSED DEADLINES
Initial Disclosures and Filing of Joint Case Management Statement	March 13, 2025	March 13, 2025
Initial Case Management Conference	March 20, 2025	March 20, 2025
Patent L.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions	April 3, 2025	April 3, 2025
Patent L.R. 3-2 Document Production Accompanying Disclosures	April 3, 2025	April 3, 2025
Deadline for Parties to Amend Pleadings to Add Parties or Claims, Absent Good Cause	May 29, 2025	March 31, 2025
Patent L.R. 3-3 Invalidity Contentions	June 3, 2025	June 3, 2025
Patent L.R. 3-4 Document Production Accompanying Invalidity Contentions	June 3, 2025	June 3, 2025
Patent L.R. 4-1 Exchange Terms for Construction	June 17, 2025	June 17, 2025
Patent L.R. 4-2 Exchange Preliminary Constructions and Extrinsic Evidence	July 8, 2025	July 8, 2025
Patent L.R. 3-8 Damages Contentions	July 23, 2025	July 23, 2025
Patent L.R. 4-3 Joint Claim Construction and Prehearing Statement	July 31, 2025	July 31, 2025
Patent L.R. 3-9 Responsive Damages Contentions	August 21, 2025	August 21, 2025
Patent L.R. 4-4 Completion of Claim Construction Discovery	August 28, 2025	August 28, 2025
Patent L.R. 4-5(a) Plaintiff's Opening Claim Construction	September 11, 2025	September 11, 2025

1	Brief		
2	Patent L.R. 4-5(b) Defendants' Responsive Claim Construction Brief	September 25, 2025	September 25, 2025
3			
4	Patent L.R. 4-5(c) Plaintiff's Reply Brief	October 2, 2025	October 2, 2025
5	Amended, Final Joint Claim Construction Statement	October 2, 2025	October 2, 2025
6			
7	Written Technology Synopsis	September 30, 2025	September 30, 2025
8	Patent L.R. 4-6 Claim Construction Technology Tutorial (if requested)	October 9, 2025, or at the Court's convenience	October 9, 2025, or at the Court's convenience
9			
10	Patent L.R. 4-6 Claim Construction Hearing	October 23, 2025, or at the Court's convenience	October 23, 2025, or at the Court's convenience
11	Patent L.R. 3-7 Disclosures	30 days after service by the Court of its Claim Construction Ruling	30 days after service by the Court of its Claim Construction Ruling
12			
13	Completion of Fact Discovery	January 30, 2026	March 19, 2026
14	Deadline to File Motions to Compel	February 18, 2026	April 7, 2026
15	Opening Expert Report on Issues as to which Party Bears the Burden of Proof	March 19, 2026	May 19, 2026
16			
17	Responsive Expert Reports	April 16, 2026	June 9, 2026
18	Completion of Expert Discovery	May 5, 2026	June 30, 2026
19	Deadline to File Summary Judgment & Daubert Motions	May 21, 2026	August 11, 2026
20	Deadline to File Responsive Briefs to Summary Judgment & Daubert Motions	June 4, 2026	September 3, 2026
21			
22	Deadline to File Reply Briefs to Summary Judgment & Daubert Motions	June 11, 2026	September 17, 2026
23			
24	SJ & Daubert Hearing (Subject to Court's Calendar)	June 25, 2026, or at the Court's convenience	October 22, 2026, or at the Court's convenience
25	Exchange Deposition and Discovery-Response Designations	The parties will meet and confer in advance of trial to streamline preparations.	The parties will meet and confer in advance of trial to streamline preparations.
26			
27			
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Exchange Exhibits and Exhibit List	The parties will meet and confer in advance of trial to streamline preparations.	The parties will meet and confer in advance of trial to streamline preparations.
Exchange Counter-Designations and Objections to Deposition and Discovery Response Designations	The parties will meet and confer in advance of trial to streamline preparations.	The parties will meet and confer in advance of trial to streamline preparations.
Exchange Objections to Exhibit List	The parties will meet and confer in advance of trial to streamline preparations.	The parties will meet and confer in advance of trial to streamline preparations.
Exchange Witness Lists	The parties will meet and confer in advance of trial to streamline preparations.	The parties will meet and confer in advance of trial to streamline preparations.
Exchange Motions in Limine	The parties will meet and confer in advance of trial to streamline preparations.	The parties will meet and confer in advance of trial to streamline preparations.
Pretrial Filings	August 26, 2026	February 11, 2027
Pretrial Conference	September 9, 2026	February 25, 2027
Jury Trial	September 28, 2026, or at the Court's convenience	March 15, 2027, or at the Court's convenience

18. Trial

The parties request a trial before a jury. LS Cable expects that the trial will take five days. At this time, Apple is unable to anticipate the length of trial or the scope of LS Cable's infringement allegations.

19. Disclosure of Non-party Interested Entities or Persons

The parties have each filed a Certificate of Interested Entities or Persons.

A. LS Cable's Restatement

LS Cable hereby restates its Rule 7.1 Statement and Certificate of Interested Parties as follows:

- LS Corp. owns a controlling interest of LS Cable & Systems, Ltd.'s stock.

No other publicly held corporation owns more than 10% stock of LS Cable & Systems, Ltd.

B. Apple's Restatement

Pursuant to Federal Rules of Civil Procedure 7.1, Defendant Apple Inc. ("Apple") states that it has no parent corporation and that no publicly held corporation holds 10% or more of its stock.

Pursuant to Civil Local Rule 3-15, Apple certifies that no persons, associations of persons, firms, partnerships, corporations (including parent corporations), or other entities other than the named parties are known to have either: (i) a financial interest of any kind in the subject matter in controversy or in a party to the proceeding; or (ii) any other kind of interest that could be substantially affected by the outcome of the proceeding.

20. Professional Conduct

All attorneys of records for the parties have reviewed the Guidelines for Professional Conduct for the Northern District of California.

21. Other

None.

Dated: March 13, 2025

Respectfully submitted,

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1 Dated: March 13, 2025

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