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16
17 UNITED STATES DISTRICT COURT
18 CENTRAL DISTRICT OF CALIFORNIA

19 1LSS INC.,

20 Plaintiff,

21 v.

22 APPLE INC.,

23 Defendant.

Case No.: 2:24-cv-08769-SRM-JPR

**REPORT OF PARTIES'
PLANNING MEETING UNDER
F.R.C.P. 26 (F)**

Time: 2:00 p.m.

Date: August 21, 2025

Judge: Hon. Serena R. Murillo

Pursuant to Federal Rule of Civil Procedure 26(f) and Local Rule 26-1, and the Court's Order Setting Scheduling Conference on April 14, 2025 (Dkt. 41), Plaintiff 1LSS Inc. ("1LSS" or "Plaintiff") and Defendant Apple Inc. ("Apple" or "Defendant") submit this Rule 26(f) Meeting Report following the meeting of counsel on February 13, 2025 and July 31, 2025.

A. STATEMENT OF THE CASE

1LSS's Statement:

Plaintiff requests a jury trial regarding its single claim against Defendant for infringement of U.S. Patent No. 11,864,641 ("the Asserted Patent") under 35 U.S.C. § 271. 1LSS is small, innovative design and engineering company located in Los Angeles that makes, among other things, mobile device accessories such as the magnetic wallets under its MagBak brand. The Asserted Patent is directed to a mobile device accessory (*e.g.*, wallet) including an arrangement of magnets of alternating polarity within the accessory device or attached to the surface. The arrangement of magnets are magnetically coupleable to a mobile device (*e.g.*, smartphone) or part of a protective case for the mobile device. Dkt. 30, ¶¶ 11-12.

Over a year ago, in letters dated February 9, 2024 and on February 28, 2024 1LSS notified Defendant Apple of its use of 1LSS's patented technology and infringement. When Defendant refused to stop its infringing sales, Plaintiff filed its original complaint on October 11, 2024. Dkt. 1. The Court granted Defendant's extension of time to respond to the complaint until December 20, 2024 and set Plaintiff's response to any motion for January 13, 2025. Dkt. 17. On December 20, 2024, Defendant filed a motion to dismiss for failure to state a claim. Dkt. 29. On January 10, 2025, Plaintiff filed its First Amended Complaint ("FAC") addressing the issues raised in Defendant's motion to dismiss. Dkt. 30. The Court subsequently denied Defendant's motion on mootness grounds. Dkt. 32. On January 24, 2025, Defendant filed an answer to the FAC. Dkt. 34.

Apple's Statement:

The '641 patent titled, "Magnetically Coupled Wallet Accessory for Mobile Device," issued on January 9, 2024.

On April 23, 2024, Apple sent 1LSS a letter detailing why Apple did not infringe the '641 patent and its assertions that that the '641 patent is invalid in view of prior art. 1LSS nonetheless filed suit on October 11, 2024. Dkt. 1.

On December 20, 2024, Apple filed a motion to dismiss 1LSS's direct, contributory, and induced infringement allegations for failure to state a claim. Dkt. 29. On January 10, 2025, 1LSS filed its First Amended Complaint and withdrew its allegations of contributory infringement. Dkt. 30. On January 10, 2025, the Court denied Apple's Motion to Dismiss as moot and Apple filed its Answer to 1LSS's First Amended Complaint on January 24, 2025. Dkt. 34.

Apple disputes that it directly or willfully infringes, or induces the infringement of the Asserted Patent. Apple also asserts that the claims of the '641 patent are invalid. On July 24, 2025, Apple filed a petition for *inter partes* review of the '641 patent with the U.S. Patent and Trademark Office on multiple grounds of obviousness, including one of 1LSS's own prior art patents. A decision on discretionary denial is expected December 7, 2025, and an institution decision is expected February 7, 2026. In view of Apple's pending petition, a stay of the district court proceedings may promote judicial efficiency. Apple will file a motion to stay pending IPR before the August 22, 2025 Scheduling Conference.

Apple rejects 1LSS's allegations that it is entitled to damages or an injunction. Apple also contends 1LSS is not entitled to pre-suit damages because it has not sufficiently given notice pursuant to 35 U.S.C. § 287. Apple anticipates that discovery will show that 1LSS failed to properly mark its MagBak Wallet, the product that 1LSS states in its complaint practices the '641 patent. Dkt. 30 ¶¶ 10–12. Moreover, 1LSS is not entitled to an injunction at least because its allegations of irreparable harm are belied by 1LSS's request for monetary damages.

B. SUBJECT MATTER JURISDICTION AND 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. §§ 101 *et seq.* Venue is proper under 28 U.S.C. § 1400(b). There are no existing issues regarding personal jurisdiction or venue, and all Parties have been served or have voluntarily appeared, and have submitted to the jurisdiction and venue of this Court.

C. LEGAL ISSUES

Subject to and without waiving their respective positions and arguments, the Parties believe that the disputed issues requiring judicial resolution include, without limitation:

- (1) Whether Apple has infringed or is infringing the Asserted Patent in violation of 35 U.S.C. § 271;
- (2) Whether Apple has willfully infringed or is willfully infringing the Asserted Patent;
- (3) Whether 1LSS is entitled to damages under 35 U.S.C. §§ 284 and 285, and if so, the amount of damages to which 1LSS is entitled;
- (4) Whether 1LSS sufficiently marked products under 35 U.S.C. § 287;
- (5) Whether 1LSS is entitled to injunctive relief under 35 U.S.C. § 283;
- (6) Whether the claims of the Asserted Patent are valid and enforceable;
- (7) Whether 1LSS's claims for relief are barred, in whole or in part, under 35 U.S.C. §§ 286 and 288;
- (8) Whether 1LSS's attempted enforcement of the Asserted Patent against Apple is barred by the equitable doctrine of laches, estoppel, unclean hands, patent misuse, or waiver;
- (9) Whether 1LSS's claims are barred in whole or in part by reason of estoppel, the dedication-disclosure rule, or the other legal doctrines limiting the scope of the claims and their equivalents;

(10) Whether 1LSS's filing and prosecuting of the present lawsuit is exceptional under 35 U.S.C. § 285 such that Apple is entitled to attorneys' fees.

D. DAMAGES

Plaintiff's Statement: Plaintiff has not received any discovery from Defendant regarding the sales of the accused product(s). Consequently, at this time, Plaintiff is unable to estimate the realistic range of provable damages.

Defendant's Statement: Apple contends that 1LSS is not entitled to any damages because Apple disputes that it infringes the Asserted Patent and asserts that the claims of the Asserted Patent are invalid.

E. PARTIES AND EVIDENCE

The Parties are Plaintiff 1LSS Inc. and Defendant Apple Inc.

Apple has no parent corporation. As listed in Apple's 10-k for the fiscal year ended September 28, 2024, Apple's subsidiaries are Apple Asia Limited, Apple Asia LLC, Apple Canada Inc., Apple Computer Trading (shanghai) Co., Ltd., Apple Distribution International Limited, Apple India Private Limited, Apple Insurance Company, Inc., Apple Japan, Inc., Apple Korea Limited, Apple Operations Limited, Apple Operations Mexica, S.A. de C.V., Apple Pty Limited, Apple Sales International Limited, Apple South Asia (Thailand) Limited, Apple Vietnam Limited Liability Company, Braeburn Capital, Inc., and iTunes K.K.

At this time, the Parties do not anticipate the addition of new parties to this action.

The Parties have served initial disclosures listing individuals likely to have discoverable information.

Based on information currently available to 1LSS, the following individuals are likely to have discoverable information that 1LSS may use to support its claims:

1. Fernando Mora, 1LSS employee and a named inventor of the patent-in-suit. He has knowledge about the conception, reduction to practice, and development of the technology in patent-in-suit,

1 investigation of Apple's infringing product, and damage to 1LSS
2 resulting from Apple's infringement.

3 2. Alejandro Baca, 1LSS employee and a named inventor of the
4 patent-in-suit. He has knowledge about the conception, reduction
5 to practice, and development of the technology in patent-in-suit,
6 investigation of Apple's infringing product, and damage to 1LSS
7 resulting from Apple's infringement.

8 3. Mydul R. Islam, 1LSS employee and a named inventor of the
9 patent-in-suit. He has knowledge about the conception, reduction
10 to practice, and development of the technology in patent-in-suit,
11 investigation of Apple's infringing product, and damage to 1LSS
12 resulting from Apple's infringement.

13 4. Katherine Adams, Senior Vice President and General Counsel,
14 Apple Inc. Knowledgeable of Apple's awareness and
15 infringement of the patent-in-suit.

16 5. Shawn Chi, in-house counsel, Apple Inc. Knowledgeable of
17 Apple's awareness and infringement of the patent-in-suit.

18 6. James Wu, Senior Product Design Engineer. Knowledgeable
19 regarding the research and development of Apple's MagSafe
20 Wallet.

21 7. Stephen Schooley, Product Architect, Knowledgeable regarding
22 the research and development of Apple's MagSafe Wallet.

23 8. Catherine Spevak, Finance Manager, Knowledgeable regarding
24 the sales of Apple's MagSafe Wallet.

25 1LSS anticipates identifying additional representatives or former
26 representatives and employees of the Parties, to be identified through discovery or
27 through Fed. R. Civ. P. 30(b)(6), who are anticipated to have knowledge of the fact
28 and circumstances set forth in Plaintiffs' First Amended Complaint.

Based on information currently available to 1LSS, key documents that may
support 1LSS's claims include:

1. U.S. Patent No. 11,864,641 and related patents.

2. The prosecution history of U.S. Patent No. 11,864,641 and each
of the applications from which U.S. Patent No. 11,864,641
claims priority.

3. Documents regarding the development of the technology
embodied in Plaintiff's patent-in-suit.

4. Documents regarding Plaintiff's goods and services sold in
connection with Plaintiff's patents.

5. Documents regarding the amount spent by Plaintiff in developing and protecting their patent-in-suit.
6. Documents regarding communications and licensing negotiations with Defendant.
7. Documents regarding manufacture, use, offer for sale and sale of Defendant's accused product.
8. Documents regarding Defendant's research and development of the accused product, including design specifications.
9. Documents regarding the design and motivation for the design of Defendant's accused product, including evidence of copying.
10. Documents regarding Defendant's advertising, marketing and promotion of the accused product.
11. Documents regarding when Defendant first became aware of Plaintiff's competing products, patents or patented products.
12. Documents regarding Defendant's sales, revenues and profits on its accused product.
13. Prior art documents and other references and testimony relating to U.S. Patent No. 11,864,641, including without limitation all prior art cited during the prosecution of U.S. Patent No. 11,864,641.
14. Documents regarding Plaintiff's marking of products it contends practice U.S. Patent No. 11,864,641.
15. Communications between the Parties regarding U.S. Patent No. 11,864,641.

Based on information currently available to Apple, the following individuals are likely to have discoverable information that Apple may use to support its defenses:

1. Fernando Mora – named inventor of the '641 patent
2. Alejandro Baca – named inventor of the '641 patent
3. Mydul R. Islam – named inventor of the '641 patent
4. Present and former employees of 1LSS
5. Stephen Schooley – Product Architect at Apple, knowledgeable about the design and development of Apple's iPhone Wallet with MagSafe technology
6. Ruben Larsson – Product Design Manager at Apple, knowledgeable about the design and development of MagSafe technology

7. Authors of prior art references.

Based on information currently available to Apple, key documents that may support Apple's defenses include:

1. U.S. Patent No. 11,864,641 and related patents

2. The prosecution history of U.S. Patent No. 11,864,641 and each of the applications from which U.S. Patent No. 11,864,641 claims priority

3. Prior art documents and other references and testimony relating to U.S. Patent No. 11,864,641, including without limitation all prior art cited during the prosecution of U.S. Patent No. 11,864,641

4. Documents regarding 1LSS's marking of products it contends practice U.S. Patent No. 11,864,641

5. Communications between Apple and 1LSS regarding U.S. Patent No. 11,864,641

6. Documents regarding Apple's research and development of the MagSafe Wallet, including design specifications

7. U.S. Patent No. 11,839,279 assigned to Apple.

Apple further anticipates that discovery will reveal additional percipient witnesses and key documents with respect to the main issues in the case.

F. INSURANCE

The Parties are not aware of any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

G. MANUAL FOR COMPLEX LITIGATION

The Parties do not believe that there is a need to utilize the Manual for Complex Litigation.

H. MOTIONS

Discovery will inform whether there will be additional claims, defenses, or counterclaims. Neither Party plans to move to add other parties or claims, file amended pleadings, transfer venue, or challenge the Court's jurisdiction at this time, but they reserve their respective rights to do so as necessary to protect their respective

1 rights. Defendant anticipates that the Court's claim construction and facts developed
2 in discovery will inform whether motion practice may be necessary, including
3 motions to compel, *Daubert* motions, and motions *in limine*.

4 **I. DISPOSITIVE MOTIONS**

5 Plaintiff anticipates that it may file summary judgment motions regarding
6 Defendant's affirmative defenses. Defendant anticipates that the Court's claim
7 construction and facts developed in discovery will inform whether certain issues may
8 be determined by motions for summary judgment.

9 The Parties propose the cutoff for hearing dispositive motions should be July
10 22, 2026.

11 **J. STATUS OF DISCOVERY**

12 1LSS served its initial set of written discovery on Apple on February 13, 2025.
13 Apple served its initial set of written discovery on 1LSS on February 24, 2025. The
14 Parties served their initial disclosures on February 27, 2025. Apple responded to
15 1LSS's initial set of written discovery on March 16, 2025. 1LSS responded to
16 Apple's initial set of written discovery on March 26, 2025. The Parties met and
17 conferred on April 1 and April 2, 2025 to discuss each Party's discovery responses
18 and reached agreement on several issues. The Parties anticipate there will be disputes
19 regarding the scope of relevant discovery, for example: whether documents pre-dating
20 the issuance date of the '641 patent and documents regarding patents and patent
21 applications related to the Asserted Patent are relevant.

22 To date, responses to each party's initial set of interrogatories have been
23 exchanged but no documents have been produced. The Parties have agreed upon terms
24 of a Protective Order and ESI Order. Once the Protective Order is in place, the parties
25 will begin document production.

26 **K. DISCOVERY PLAN**

27 **Initial Disclosures.** The Parties completed the initial disclosures required by
28 Rule 26(a) on February 27, 2025.

Plaintiff's Discovery Subjects:

- (1) The manufacture, use, offer for sale and sale of Defendant's infringing product;
- (2) The design and motivation for the design of Defendant's infringing product, including evidence of copying;
- (3) Defendant's advertising, marketing and promotion of the infringing product;
- (4) When Defendant first became aware of Plaintiff's competing products, patents or patented products; and
- (5) Defendant's sales, revenues and profits on its infringing product.

Defendant's Discovery Subjects:

- (1) The Asserted Patent, its file history, and priority claims;
- (2) Prosecution of the Asserted Patent;
- (3) The knowledge of each of the named inventors of the Asserted Patent during the relevant time period;
- (4) The alleged contribution of each named inventor of the Asserted Patent to any alleged invention claimed or described in the Asserted Patent;
- (5) The alleged conception and reduction to practice of any alleged invention claimed or described in the Asserted Patent;
- (6) Prior art to the Asserted Patent, including publications, literature, references, and prior art products;
- (7) The first offer for sale, sale, use, or disclosure of the subject matter of the Asserted Patent;
- (8) Commercial embodiments, prototypes, or other embodiments of the Asserted Patent;
- (9) Plaintiff's infringement contentions;
- (10) Plaintiff's willful infringement claim and "notice" claims;
- (11) Plaintiff's positions on validity and enforceability of the Asserted Patent;

- (12) Plaintiff's ownership of the Asserted Patent;
- (13) Investment in the Asserted Patent or in the litigation;
- (14) Plaintiff's licensing and/or attempted licensing of the Asserted Patent;
- (15) Plaintiff's decision to file suit;
- (16) Facts relating to Plaintiff's allegations and supporting Defendant's denials, affirmative defenses, and other defenses;
- (17) Financial information relevant to Plaintiff's commercial embodiments, if any, of the alleged invention in the Asserted Patent, including sales, revenue, costs, and profits relating to such embodiments and forecasts regarding the same, and specifically including information and documents sufficient to determine or calculate net profits;
- (18) Information relevant to the *Georgia-Pacific* factors that might bear on the calculation of a reasonable royalty, including but not limited to Plaintiff's licensing practices and licensing history;
- (19) Marketing, advertising, or promotional information relevant to the Asserted Patent or any commercial embodiments of the alleged inventions claimed or described in the Asserted Patent, including manuals, instructions, advertising, market studies, and consumer surveys.

Discovery Cutoff. As set forth in the attached Patent Action Worksheet ("Worksheet"), the Parties propose a fact discovery cutoff of April 10, 2026. The Parties further propose an expert discovery cutoff of June 3, 2026.

Discovery Limitations:

For fact witness depositions, the Parties propose a limit of no more than 35 hours (on the record) (including party and non-party depositions) and no witness shall be deposed for more than 7 hours absent agreement by the Parties and the witnesses. Any deposition that is translated from a foreign language into English shall be counted against the hours limit as 50% of time actually spent on the record. The Parties further

1 propose that any depositions shorter than 3 hours shall be counted as 3 hours against
2 the taking Party's 35-hour limit. For expert depositions, the Parties propose that each
3 expert witness shall not be deposed for more than 7 hours per day absent agreement
4 by the Parties and the witnesses and that expert depositions shall be presumptively
5 limited to 7 hours per witness unless an expert has provided a report about separate
6 issues (e.g., invalidity and infringement or infringement and damages).

7 Defendant proposes that each side shall be entitled to serve up to 25
8 interrogatories, 50 requests for production, and 50 requests for admission regarding
9 substantive issues, and up to 200 requests for admission regarding authenticity of
10 documents. With respect to depositions, Defendant agrees that the limits in the
11 Federal Rules of Civil Procedure shall govern except as modified above.

12 Plaintiff does not believe that any changes should be made to the limitations on
13 discovery at this time, but reserve the right to change their respective positions in the
14 future.

15 Defendant further proposes that the Parties adopt, subject to the approval of the
16 Court, Patent Local Rule No. 3-6 of the U.S. District Court for the Northern District
17 of California on Amendment to Contentions. In addition, Defendant proposes that
18 pursuant to N.D. Cal. P.L.R. 4-3, any expert testimony relied upon to support a Party's
19 proposed claim construction shall be provided in supporting declarations to briefing
20 and not expert reports.

21 **Discovery Phases.** The Parties believe that discovery should be conducted in
22 two phases—fact discovery and expert discovery. The Parties' scheduling proposals
23 are set forth in the attached Worksheet.

24 **Electronically Stored Information.** The Parties are not presently aware of
25 any unusual issues related to the disclosure, discovery, or preservation of
26 electronically stored information (ESI). The Parties will file with the Court a
27 Stipulated ESI Order, which will address the disclosure of ESI information.

28 **Privileges and Other Protections.** The Parties will file with the Court a

1 Stipulated Protective Order, which addresses privilege and work product issues as
2 well as protections for confidential information produced by the Parties and third
3 parties during discovery. The Parties agree on reciprocal requirements with respect to
4 privilege logs and related matters. The Parties agree that responsive documents
5 protected by the attorney-client privilege and/or work product doctrine with respect to
6 this action that were created after the filing of this action need not be identified on any
7 privilege log.

8 **Additional Orders.** At this time, the Parties do not request the Court enter any
9 additional orders.

10 **L. EXPERT DISCOVERY**

11 As set forth in the Worksheet, the Parties propose an exchange of expert witness
12 disclosures for which the party bears the burden of proof on April 27, 2026 and
13 rebuttal expert reports on May 15, 2026.

14 **M. SETTLEMENT DISCUSSIONS**

15 The Parties have not had any settlement discussions. Plaintiff is open to
16 settlement discussions. Defendant is also open to settlement discussions and has
17 approached 1LSS to begin discussions. The Parties prefer ADR PROCEDURE NO.
18 3 – a private dispute resolution proceeding. As set forth in the Worksheet, the Parties
19 propose that settlement proceedings should occur by August 5, 2026.

20 **N. TRIAL ESTIMATE**

21 The Parties estimate that a jury trial will require approximately 3-4 days.
22 Plaintiff anticipates that it will be calling approximately three to five fact witnesses
23 and at least two expert witnesses live during trial. Defendant anticipates it will be
24 calling approximately three fact witnesses and three expert witnesses live during trial.
25 The Parties reserve the right to change the number of witnesses they contemplate as
26 discovery and the case progresses.

27 Subject to the Court's availability, as set forth in the Worksheet, the Parties
28 propose dates for the Final Pretrial Conference and Trial of October 14, 2026 and

1 November 3, 2026, respectively.

2 **O. TRIAL COUNSEL**

3 Plaintiff's trial counsel are Stanley M. Gibson and Gregory S. Cordrey.

4 Defendant's trial counsel are J.C. Rozendaal, Anna G. Phillips, and Ken Parker.

5 **P. MAGISTRATE JUDGE**

6 The Parties decline to try the case before a magistrate judge.

7 **Q. INDEPENDENT EXPERT OR MASTER**

8 The Parties do not believe that a special master or independent expert is
9 necessary.

10 **R. SCHEDULE WORKSHEET**

11 The Parties hereby submit the completed Patent Action Worksheet.

12 **S. CLASS ACTIONS**

13 This case is not a class action.

14 **T. OTHER ISSUES**

15 At this time, the Parties have not identified any other issues that would affect
16 the status or management of the case.

17
18 Respectfully submitted,

19
20 DATED: August 7, 2025

STANLEY M. GIBSON
GREGORY S. CORDREY
JEFFER MANGELS BUTLER & MITCHELL LLP

21
22
23 By: /s/Gregory S. Cordrey
24 GREGORY S. CORDREY
25 Attorneys for Plaintiff 1LSS Inc.
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DATED: August 7, 2025

KENNETH G. PARKER
HAYNES AND BOONE, LLP

By: /s/Kenneth G. Parker
KENNETH G. PARKER
Attorneys for Defendant Apple Inc.

DISTRICT JUDGE SERENA R. MURILLO

SCHEDULE OF PATENT PRETRIAL AND TRIAL DATES WORKSHEET – PATENT CASES¹

Please complete this worksheet jointly and file it with your Joint Rule 26(f) Report.

The parties must make every effort to agree on dates or the Court will set them.

Case No. 2:24-cv-08769-SRM-JPR	Case Name: 1LSS Inc. v. Apple Inc.		
Patent Trial and Final Pretrial Conference Dates		Pl(s)' Date mm/dd/yyyy	Def(s)' Date mm/dd/yyyy
Check one: ☒ Jury Trial or ☐ Bench Trial [Tuesday at 9:00 a.m. within 12-15 months of Scheduling Conference based on complexity] Estimated Duration: <u>3-4</u> Days		11/03/2026	11/03/2026
Final Pretrial Conference ("FPTC") [L.R. 16], Hearing on Motions <i>in Limine</i> [Wednesday at 2:00 p.m. at least 19 days before trial]		10/14/2026	10/14/2026
Event² <u>Note:</u> Hearings shall be on Wednesdays at 1:30 p.m. ³ Other dates can be any day of the week.		Pl(s)' Date mm/dd/yyyy	Def(s)' Date mm/dd/yyyy
Last Date to Disclose Infringement Contentions and Make Document Production Accompanying Disclosure [P.R. 3-1, 3-2]		09/15/2025	09/15/2025
Last Date to Disclose Invalidity Contentions and to Make Document Production Accompanying Disclosure [P.R. 3-3, 3-4]		10/30/2025	10/30/2025
Last Date to Exchange Proposed Terms and Claim Elements for Construction [P.R. 4-1]		11/13/2025	11/13/2025
Last Date to Exchange Preliminary Claim Constructions and Extrinsic Evidence [P.R. 4-2]		11/24/2025	11/24/2025
Last Date to File Joint Claim Construction and Prehearing Statement [P.R. 4-3]		12/12/2025	12/12/2025
Last Date to Complete Claim Construction Discovery [P.R. 4-4]		01/12/2026	01/12/2026
Last Date to File Simultaneous Opening Claim Construction Briefs ⁴		02/06/2026	02/06/2026
Last Date to File Simultaneous Responsive Claim Construction Briefs		02/20/2026	02/20/2026
Requested Date for Claim Construction Hearing [P.R. 4-6]		03/11/2026	03/11/2026
Last Date for Advice of Counsel Defense [P.R. 3-7]		30 days after Markman Order	30 days after Markman Order
Last Date to Serve Final Infringement Contentions Based on Markman Order		30 days after Markman Order	30 days after Markman Order
Last Date to Serve Final Invalidity Contentions Based on Markman Order		45 days after Markman Order	45 days after Markman Order

¹ The following trial and pretrial dates worksheet adopts the Claim Construction Proceeding Guidelines as set by the Patent Local Rules of the Northern District of California. All references to the patent rules ("P.R.") refer to the Northern District rules. All references to the local rules ("L.R.") refer to the Local Rules of the Central District of California.

² The parties may seek dates for additional events by filing a separate stipulation and proposed order.

³ By default, all hearings shall proceed in-person, unless a request is made by the parties and granted by the Court. Requests to appear via Zoom must be filed by the Friday before the hearing and indicate that counsel has met and conferred per L.R. 7-3.

⁴ The Court will not construe more than ten disputed claim terms absent good cause and prior approval.

Last Day to Hear Motion to Amend Pleadings or Add Parties [Wednesday] (6 weeks after scheduling conference)	10/01/2025	10/01/2025
Non-Expert Discovery Cut-Off (24 weeks before FPTC, no later than deadline for filing dispositive motion)	04/10/2026	04/10/2026
Expert Disclosure (Initial) (23 weeks before FPTC)	04/27/2026	04/27/2026
Expert Disclosure (Rebuttal) (21 weeks before FPTC)	05/15/2026	05/15/2026
Expert Discovery Cut-Off (19 weeks before FPTC) ⁵	06/03/2026	06/03/2026
Last Date to Hear Motions [Wednesday] (12 weeks before FPTC) • Motion for Summary Judgment due at least 6 weeks before hearing • All other motions due at least 4 weeks before hearing • Opposition due 1 week after motion is filed • Reply due 1 week after opposition is filed	07/22/2026	07/22/2026
Deadline to Complete Settlement Conference [L.R. 16-15] (10 weeks before FPTC) <u>Select one:</u> ☐ 1. Magistrate Judge ☐ 2. Court Mediation Panel ☒ 3. Private Mediation	08/05/2026	08/05/2026
<u>Trial Filings</u> (first round) (4 weeks before FPTC) • Motions <i>in Limine</i> • Memoranda of Contentions of Fact and Law [L.R. 16-4] • Witness Lists [L.R. 16-5] • Joint Exhibit List [L.R. 16-6.1] • Joint Status Report Regarding Settlement • Proposed Findings of Fact and Conclusions of Law [L.R. 52] (bench trial only) • Declarations containing Direct Testimony, if ordered (bench trial only)	09/16/2026	09/16/2026
<u>Trial Filings</u> (second round) (2 weeks before FPTC) • Oppositions to Motions <i>in Limine</i> • Joint Proposed Final Pretrial Conference Order [L.R. 16-7] • Joint Agreed Upon Proposed Jury Instructions (jury trial only) • Disputed Proposed Jury Instructions (jury trial only) • Joint Proposed Verdict Forms (jury trial only) • Joint Proposed Statement of the Case (jury trial only) • Proposed Voir Dire Questions, if any (jury trial only) • Evidentiary Objections to Declarations of Direct Testimony (bench trial only)	09/30/2026	09/30/2026

⁵ The parties may choose to cut off expert discovery prior to the deadline to file a motion for summary judgment.