UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

QOMPLX LLC, Plaintiff, v. MICROSOFT CORPORATION, Defendant.	)))))))))	Civil Action No. 1:25-cv-01383-ADA JURY TRIAL DEMANDED

Amended Scheduling Order

Date	Item
11/24/2025 *7 days before CMC*	Plaintiff serves preliminary[1] infringement contentions in the form of a chart setting forth where in the accused product(s) each element of the asserted claim(s) are found. Plaintiff shall also identify the earliest priority date (*i.e.*, the earliest date of invention) for each asserted claim and produce: (1) all documents evidencing conception and reduction to practice for each claimed invention, and (2) a copy of the file history for each patent in suit.
12/15/2025 *2 weeks after CMC*	The Parties shall file a motion to enter an agreed Scheduling Order. If the parties cannot agree, the parties shall submit a separate Joint Motion for entry of Scheduling Order briefly setting forth their respective positions on items where they cannot agree. Absent agreement of the parties, the Plaintiff shall be responsible for the timely submission of this and other Joint filings.
12/22/2025	Deadline to file a motion for transfer. After this deadline, movants must seek leave of Court and show good cause for the delay.

[1] The parties may amend preliminary infringement contentions and preliminary invalidity contentions without leave of court so long as counsel certifies that it undertook reasonable efforts to prepare its preliminary contentions and that the amendment is based on material identified after those preliminary contentions were served and should do so seasonably upon identifying any such material. Any amendment to add patent claims requires leave of court so that the Court can address any scheduling issues.

Date	Item
8 weeks after receiving or waiving service of complaint, or 3 weeks after the CMC, whichever is later.	
1/26/2026 *8 weeks after CMC*	Defendant serves preliminary invalidity contentions in the form of (1) a chart setting forth where in the prior art references each element of the asserted claim(s) are found, (2) an identification of any limitations the Defendant contends are indefinite or lack written description under section 112, and (3) an identification of any claims the Defendant contends are directed to ineligible subject matter under section 101. Defendant shall also produce (1) all prior art referenced in the invalidity contentions, and (2) technical documents, including software where applicable, sufficient to show the operation of the accused product(s).
2/16/2026 *11 weeks after CMC*	Parties exchange claim terms for construction.
3/2/2026 *13 weeks after CMC*	Parties exchange proposed claim constructions.
3/9/2026 *14 weeks after CMC*	Parties disclose extrinsic evidence. The parties shall disclose any extrinsic evidence, including the identity of any expert witness they may rely upon with respect to claim construction or indefiniteness. With respect to any expert identified, the parties shall identify the scope of the topics for the witness's expected testimony.[2] With respect to items of extrinsic evidence, the parties shall identify each such item by production number or produce a copy of any such item if not previously produced.
3/16/2026 *15 weeks after CMC*	Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions.
3/23/2026 *16 weeks after CMC*	Defendant files Opening claim construction brief, including any arguments that any claim terms are indefinite.
4/13/2026	Plaintiff files Responsive claim construction brief.

[2] Any party may utilize a rebuttal expert in response to a brief where expert testimony is relied upon by the other party.

Date	Item
19 weeks after CMC	
4/27/2026 *21 weeks after CMC*	Defendant files Reply claim construction brief. Parties to jointly email the law clerks to confirm their Markman date and to notify if any venue or jurisdictional motions remain unripe for resolution.
5/11/2026 *23 weeks after CMC*	Plaintiff files Sur-Reply claim construction brief.
5/14/2026 *3 business days after submission of sur-reply*	Parties submit Joint Claim Construction Statement and email the law clerks an editable copy. See General Issues Note #9 regarding providing copies of the briefing to the technical advisor (if appointed).
5/15/2026 24 weeks after CMC (but at least 10 days before Markman hearing)	Parties submit optional technical tutorials to the Court and technical adviser (if appointed).
06/01/2026 *25 weeks after CMC (or as soon as practicable)*	Markman Hearing at 9:00 a.m. This date is a placeholder and the Court may adjust this date as the Markman hearing approaches.[3]
06/01/2026 *1 business day after Markman hearing*	Fact Discovery opens; deadline to serve Initial Disclosures per Rule 26(a).
7/6/2026 *6 weeks after Markman hearing*	Deadline to add parties.
7/20/2026 *8 weeks after Markman hearing*	Deadline to serve Final Infringement and Invalidity Contentions. After this date, leave of Court is required for any amendment to Infringement or Invalidity contentions. This deadline does not relieve the Parties of their obligation to seasonably amend if new information is identified after initial contentions.

[3] All deadlines hereafter follow the original Markman hearing date and do not change if the Court delays the Markman hearing.

Date	Item
9/14/2026 *16 weeks after Markman hearing*	Deadline to amend pleadings. A motion is not required unless the amendment adds patents or patent claims. (Note: This includes amendments in response to a 12(c) motion.).
11/23/2026 *26 weeks after Markman hearing*	Deadline for the first of two meet and confers to discuss significantly narrowing the number of claims asserted and prior art references at issue. Unless the parties agree to the narrowing, they are ordered to contact the Court to arrange a teleconference with the Court to resolve the disputed issues.
12/14/2026 *29 weeks after Markman hearing*	Close of Fact Discovery
1/18/2027 *34 weeks after Markman hearing*	Opening Expert Reports.
2/22/2027 *39 weeks after Markman hearing*	Rebuttal Expert Reports.
3/15/2027 *42 weeks after Markman hearing*	Close of Expert Discovery.
3/22/2027 *43 weeks after Markman hearing*	Deadline for the second of two meet and confers to discuss narrowing the number of claims asserted and prior art references at issue to triable limits. If it helps the parties determine these limits, the parties are encouraged to contact the Court for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer.
3/29/2027 *44 weeks after Markman hearing*	Dispositive motion deadline and Daubert motion deadline. See OGP Note #9 regarding providing copies to the Court and technical advisor (if appointed).

Date	Item
	Deadline for parties desiring to consent to trial before the magistrate judge to submit Form AO 85, "Notice, Consent, And Reference Of A Civil Action To A Magistrate Judge," available at https://www.uscourts.gov/forms/civil-forms/notice-consent-and-reference-civil-action-magistrate-judge.
4/12/2027 *46 weeks after Markman hearing*	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, deposition designations).
4/26/2027 *48 weeks after Markman hearing*	Serve objections to pretrial disclosures/rebuttal disclosures.
4/26/2027 *8 weeks before trial*	Parties to jointly email the Court's law clerk to confirm their pretrial conference and trial dates.
5/3/2027 *49 weeks after Markman hearing*	Serve objections to rebuttal disclosures; file motions in limine.
5/17/2027 *51 weeks after Markman hearing*	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, discovery and deposition designations); file oppositions to motions in limine. From this date onwards, the parties are obligated to notify the Court of any changes to the asserted patents or claims. Such notification shall be filed on the docket within seven (7) days of the change and shall include a complete listing of all asserted patents and claims. If a change to the asserted patents or claims requires leave of court (for example, if a party is moving for leave to assert additional claims), notification shall not be required until the Court grants leave, at which point the notification must be filed within seven (7) days.
5/24/2027 *52 weeks after Markman hearing*	File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and email the Court Reporter, Kristie Davis at kmdaviscsr@yahoo.com Deadline to file replies to motions in limine.

Date	Item
5/31/2027 *53 weeks after Markman hearing*	Deadline to meet and confer regarding remaining objections and disputes on motions in limine.
6/2/2027 *3 business days before Final Pretrial Conference*	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions in limine.
6/7/2027 *54 weeks after Markman hearing (or as soon as practicable)*	Final Pretrial Conference. Held in person unless otherwise requested.
6/21/2027 *56 weeks after Markman hearing (or as soon as practicable)*	Jury Selection/Trial.[4]

IT IS SO ORDERED:

SIGNED 1/5/2026.

ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE

[4] If the actual trial date materially differs from the Court's default schedule, the Court will consider reasonable amendments to the case schedule post-Markman that are consistent with the Court's default deadlines in light of the actual trial date.