IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION

FERMAT INTERNATIONAL, INC. **Plaintiff** **v.** **ADVANCED MICRO DEVICES, INC.,** **Defendant.**	**Civil Action No. 7:26-CV-00011-DC**

SCHEDULING ORDER

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court **ORDERS** that the following schedule will govern deadlines up to and including the trial of this matter:

Deadline	Item
July 20, 2026	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.
July 27, 2026	Plaintiff serves preliminary 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.
October 6, 2026	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).
October 20, 2026	Parties exchange claim terms for construction.

AMD 1052
Advanced Micro Devices v. Fermat Int'l
IPR2026-00358

November 3, 2026	Parties exchange proposed claim constructions.
November 10, 2026	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. 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.
November 17, 2026	Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions.
November 24, 2026	Defendant files Opening claim construction brief, including any arguments that any claim terms are indefinite.
December 18, 2026	Plaintiff files Responsive claim construction brief.
January 5, 2027	Defendant files Reply claim construction brief.
January 22, 2027	Plaintiff files a Sur-Reply claim construction brief.
January 25, 2027	Parties submit Joint Claim Construction Statement.
January 25, 2027	Parties submit optional technical tutorials to the Court and technical advisor (if appointed).
February 1, 2027	*Markman* Hearing at 2:00 pm
February 2, 2027	Fact Discovery opens; deadline to serve Initial Disclosures per Rule 26(a).
March 15, 2027	Deadline to add parties.
March 31, 2027	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 amend if new information is identified after initial contentions.

May 24, 2027	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).
August 2, 2027	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.
August 25, 2027	Close of Fact Discovery.
September 1, 2027	Opening Expert Reports.
September 29, 2027	Rebuttal Expert Reports.
October 13, 2027	Close of Expert Discovery.
October 18, 2027	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.
November 2, 2027	Dispositive motion deadline and *Daubert* motion deadline.
November 18, 2027	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery and deposition designations).
December 2, 2027	Serve objections to pretrial disclosures/rebuttal disclosures.
December 9, 2027	Serve objections to rebuttal disclosures; file motions *in limine.*
December 16, 2027	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, discovery and deposition designations); file oppositions to motions *in limine*.
December 28, 2027	Deadline to meet and confer regarding remaining objections and disputes on motions *in limine.*
December 20, 2027	Parties to contact Court to confirm their pretrial conference and trial dates.
January 5, 2028	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions *in limine.*
January 14, 2028	Final Pretrial Conference at 10:00 am. Held in person unless otherwise requested.
February 7, 2028	Jury Selection at 8:00 am. Trial to follow.

SIGNED this 9th day of August, 2026.

DEREK T. GILLILAND
UNITED STATES MAGISTRATE JUDGE