

**UNITED STATES INTERNATIONAL TRADE COMMISSION**

**Washington, D.C.**

**In the Matter of**

**CERTAIN MOBILE ELECTRONIC  
DEVICES AND RADIO FREQUENCY  
AND PROCESSING COMPONENTS  
THEREOF (II)**

**Inv. No. 337-TA-1093**

**ORDER NO. 7:**

**GRANTING JOINT MOTION TO AMEND CERTAIN  
DATES IN THE PROCEDURAL SCHEDULE  
[MOTION DOCKET NO. 1093-003]**

(March 27, 2018)

On March 23, 2018, pursuant to Ground Rule 1.13, Qualcomm Inc. (“Complainant” or “Qualcomm”) and the Commission Investigative Staff (“Staff”) filed an unopposed<sup>1</sup> motion (“Motion”) seeking to amend certain dates in the Procedural Schedule. (Motion Docket No. 1093-003 (Mar. 23, 2018); Mot. at 1.). Ground Rule 1.13 states that “[m]odifications of the procedural schedule by any party shall be regulated by written motion showing good cause.”

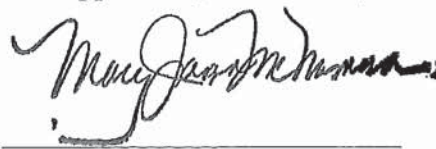
Qualcomm and Staff have demonstrated good cause to modify the Procedural Schedule. In particular, as set forth in Exhibit A (Revised Procedural Schedule) attached hereto, they seek to extend expert discovery and avoid scheduling conflicts with other investigations without affecting scheduling of the hearing, Initial Determination, or Target Date in this Investigation.

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<sup>1</sup> Qualcomm and Staff state that Respondent Apple, Inc. reviewed the Motion and does not oppose it. This statement is sufficient to pass as a Ground Rule 2.2 certification. (Mot. at 1.).

For good cause shown, and because there is no opposition, the Motion, Motion Docket  
No. 1093-003, is hereby *granted*.

**SO ORDERED.**

A handwritten signature in black ink, appearing to read 'MaryJoan McNamara', written over a horizontal line.

MaryJoan McNamara  
Administrative Law Judge

## EXHIBIT A

### REVISED PROCEDURAL SCHEDULE

Event	Date
Deadline for Initial Contention Deadline Interrogatory Responses	February 20, 2018
File Identification of Expert Witnesses, Including Their Expertise and Curriculum Vitae	March 2, 2018
Complainants File Notice of Patent Priority Dates/Dates of Conception and Curriculum Vitae	March 9, 2018
Parties Exchange List of Patent Claim Terms for Construction	March 23, 2018
Respondents File Notice of Prior Art	April 9, 2018
Deadline for Disclosure of Invalidity Contentions	April 16, 2018
Deadline for Disclosure of Infringement Contentions	April 16, 2018
Complainants and Respondents provide Staff with Their Proposed Construction of Disputed Claim	April 27, 2018
Submission of Statements Regarding the Use of Witness Statements in lieu of Live Direct Testimony, and Statements Regarding Whether Any Party Intends to Offer Expert Reports into Evidence	May 1, 2018
Exchange of Initial Expert Reports (Identify Tests/Surveys/Data)	June 15, 2018
Staff provides private parties with its proposed construction of disputed claim terms	May 7, 2018
Parties Meet and Confer (including Staff) to Attempt to Limit Claim Terms and Claim Term Disputes	May 11, 2018
File Joint Claim Construction Chart	May 15, 2018
Parties File a Joint List Showing Each Party's Proposed Construction of Disputed Claim Terms, with Initial Briefs by All Parties Explaining Their Initial Claim Constructions	May 18, 2018

<b>Event</b>	<b>Date</b>
Deadline to File <i>Markman</i> Hearing Proposals	May 18, 2018
Exchange of Rebuttal Expert Reports	June 29, 2018
Deadline for Disclosure of Domestic Industry Contentions	April 16, 2018
Last Day to File Motions to Compel Discovery	May 29, 2018
Fact Discovery Cutoff and Completion	May 29, 2018
Technology Stipulation Deadline	June 1, 2018
<i>Markman</i> Hearing (if Ordered)  (Parties should provide thumb drive or CD ROMS of tutorials if included in <i>Markman</i> Hearing)	Week of June 4-8, 2018
Expert Discovery Cutoff and Completion	July 13, 2018
File Tentative List of Witnesses a Party Will Call to Testify at the Evidentiary Hearing, with an Identification of Each Witness's Relationship to the Party	June 11, 2018
Last Day to File Summary Determination Motions	July 19, 2018
Parties Exchange Exhibit Lists	July 22, 2018
Submit and Serve Direct Exhibits (Including Witness Statements, if Appropriate), with Physical and Demonstrative Exhibits Available — Complainants and Respondents	July 27, 2018
Submit and Serve Direct Exhibits (Including Witness Statements), with Physical and Demonstrative Exhibits Available — Staff	August 3, 2018
File Requests for Receipt of Evidence Without a Witness	August 3, 2018
Submit and Serve Rebuttal Exhibits (including Witness Statements), with Rebuttal Physical and Demonstrative Exhibits Available	July 31, 2018
File Pre-hearing Statements and Briefs (Briefs should contain no more than 100 pages of text, each side,	August 3, 2018

<b>Event</b>	<b>Date</b>
unless there is no identity of interests, or different interests. To be discussed.)	
Staff files Pre-hearing Statement and Brief (No more than 100 pages of text)	August 17, 2018
Attendance at One-day Mediation Session	By August 10, 2018
Submission of Mediation Report	(Within 7 days of Mediation)
Last day to file Motions in Limine	August 10, 2018
File High Priority Objections	August 10, 2018
File Responses to Motions in Limine	August 17, 2018
File Responses to High Priority Objections	August 17, 2018
Submission of Declarations justifying Confidentiality of Exhibits	August 24, 2018
Pre-Hearing Conference	<b>September 17, 2018 (location TBA)</b>
Evidentiary Hearing (Starting with Tutorials, as Parties Propose)	<b>9:30 a.m., September 17-21, 2018 (location TBA)</b>
Last day to submit Final Exhibits, by Appointment. All Exhibits Should be Properly Labeled. (Follow the Ground Rules)	No more than four (4) business days after hearing
File Initial Post-Hearing Briefs <u>and</u> Final Exhibit Lists (Briefs should contain no more than 75 pages of text)	October 5, 2018
Submit Final JOINT Direct and Rebuttal Exhibits (CDROM or Flash Drive)	October 5, 2018
File Reply Post-Hearing Briefs on Issues on Which The Party Bears the Burden of Proof (Briefs should contain no more than 50 pages of text)	October 12, 2018
<b>Final ID due</b>	<b>January 22, 2019</b>
<b>Target Date</b>	<b>May 22, 2019</b>



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**PUBLIC CERTIFICATE OF SERVICE**

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, **Paul Gennari, Esq.** and the following parties as indicated, on **March 27, 2018**.



Lisa R. Barton, Secretary  
U.S. International Trade Commission  
500 E Street, SW, Room 112  
Washington, DC 20436

**On Behalf of Complainant Qualcomm Incorporated:**

Jeffrey C. Wu, Esq.  
**JONES DAY**  
4655 Executive Drive, Suite 1500  
San Diego, CA 92101

- ☐ Via Hand Delivery  
☐ Via Express Delivery  
☒ Via First Class Mail  
☐ Other: \_\_\_\_\_

**On Behalf of Respondent Apple Inc.:**

James F. Valentine Esq.  
**PERKINS COLE LLP**  
3150 Porter Drive  
Palo Alto, CA 94304-1212

- ☐ Via Hand Delivery  
☐ Via Express Delivery  
☒ Via First Class Mail  
☐ Other: \_\_\_\_\_