

EXHIBIT B
PROPOSED SCHEDULE OF PRETRIAL AND TRIAL DATES IN UTILITY PATENT
CASES ASSIGNED TO THE HON. JOSEPHINE L. STATON

CASE NAME: UNILOC 2017 LLC v. NETSUITE INC.

CASE NO: 8:19-cv-01151-JLS-DFM

Matter	Deadline	Plaintiff(s) Request	Defendant's Request
Disclosure of Asserted Claims and Infringement Contentions and Document Production Accompanying Disclosure (N.D. Patent L.R. 3-1(a)-(h) to 3-2(a)-(e)).	Scheduling Conference Date plus fourteen (14) days (N.D. Patent L.R. 3-1 and 3-2).	11/15/19	Stayed pending resolution of "application program(s)." If necessary, 14 days after ruling on early <i>Markman</i> on "application program(s)"
Last Day to File Motions to Add Parties and Amend Pleadings without leave	Scheduling Conference Date plus sixty (60) days.	1/14/20	
Disclosure of Invalidity Contentions and Production Accompanying Invalidity Contentions ¹ (N.D. Patent L.R. 3- 3(a)-(d) to 3-4(a)-(b)).	Deadline for Infringement Contentions Disclosure plus forty-nine (49) days (adapted from N.D. Patent L.R. 3-3).	1/3/20	Stayed. If necessary, 49 days after Infringement Contentions after ruling on early <i>Markman</i> on "application program(s)"

¹ In a declaratory judgment action in which a party files a pleading seeking declaratory judgment that a patent is invalid, and where the parties anticipate that no claim or counterclaim of infringement will be asserted (in this or any other proceeding), the parties shall alter their proposed dates in accordance with N.D. Patent L.R. 3-5.

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Matter	Deadline	Plaintiff(s) Request	Defendant's Request
Exchange of Proposed Terms for Construction (N.D. Patent L.R. 4- 1(a)-(b)).	Deadline for Invalidity Contentions Disclosure plus fourteen (14) days ² (N.D. Patent L.R. 4-1).	1/17/20	Stayed. If necessary, 14 days after Invalidity Contentions after ruling on early <i>Markman</i> on “application program(s)”
Exchange of Preliminary Claim Constructions and Extrinsic Evidence (N.D. Patent L.R. 4- 2(a)-(c)).	Exchange of Proposed Terms for Construction plus fourteen (14) days (adapted from N.R. Patent L.R. 4-2).	1/31/20	Nov. 8, 2019 for “application program(s)” Remainder: If necessary, 14 days after Exchange of Proposed Terms for Construction after ruling on early <i>Markman</i> on “application program(s)”
Joint Status Report Regarding Technology Tutorial	Sixty (60) days in advance of the Claim Construction Hearing (Order Setting Scheduling Conference).		

² Similarly, in any action in which patent validity is not expected to be at issue, the parties shall alter their proposed dates in accordance with N.D. Patent L.R. 4-1(a).

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Matter	Deadline	Plaintiff(s) Request	Defendant's Request
Completion of Claim Construction Discovery ³ (N.D. Patent L.R. 4-4.)	Exchange of Preliminary Claim Constructions and Extrinsic Evidence plus twenty-eight (28) days. ⁴	2/28/20	Nov. 22, 2019 for "application program(s)" Remainder: If necessary, 28 days after exchange of Preliminary Claim Constructions and Extrinsic Evidence after ruling on early <i>Markman</i> on "application program(s)"

³ As is implicit in the Northern District Rules, Claim Construction Discovery includes expert discovery addressing issues related to claim construction.

⁴ The Court's procedure deviates from the Northern District Rules by deferring the filing of the Prehearing Statement until after the Completion of Claim Construction Discovery. (Cf. N.D. Patent L.R. 4-3.)

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Matter	Deadline	Plaintiff(s) Request	Defendant's Request
Joint Claim Construction and Prehearing Statement (N.D. Patent L.R. 4-3(a)-(e)).	Completion of Claim Construction Discovery plus seven (7) days.	3/6/20	Nov. 26, 2019 for "application program(s)" Remainder: If necessary, 7 days after Completion of Claim Construction Discovery after ruling on early <i>Markman</i> on "application program(s)"
Opening Claim Construction Briefs ⁵	Deadline for filing of Joint Claim Construction and Prehearing Statement plus seven (7) days.	3/13/20	Dec. 6, 2019 for "application program(s)" Remainder: If necessary, 7 days after Joint Claim Construction and Prehearing Statement after ruling on early <i>Markman</i> on "application program(s)"

⁵ The Northern District Rules contemplate the filing of an opening brief, a responsive brief, and a reply brief. The Court's procedure deviates from that practice and instead sets a schedule for the filing of simultaneous opening and responsive briefs.

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Matter	Deadline	Plaintiff(s) Request	Defendant's Request
Responsive Claim Construction Briefs	Deadline for filing of Opening Claim Construction Briefs plus fourteen (14) days.	3/27/20	Dec. 13, 2019 for “application program(s)” Remainder: If necessary, 14 days after Opening Claim Construction Briefs after ruling on early <i>Markman</i> on “application program(s)”
Claim Construction Hearing	Twenty-five (25) days after the Responsive Brief Deadline (set for Tuesday at 9:00 a.m.).	4/21/20	January 7, 2020 for “application program(s)” Remainder: If necessary, 25 days after Responsive Claim Construction Briefs after ruling on early <i>Markman</i> on “application program(s)”

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