

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN ELECTRONIC DEVICES,
INCLUDING STREAMING PLAYERS,
TELEVISIONS, SET TOP BOXES,
REMOTE CONTROLLERS, AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1200

ORDER NO. 8: SETTING PROCEDURAL SCHEDULE

(June 25, 2020)

In accordance with the parties' proposed procedural schedule, submitted in response to Order No. 7, I hereby adopt the Procedural Schedule set forth in Appendix A of the joint proposal (and attached to this Order) as the procedural schedule in this Investigation, with the date for the Notice of Prior Art being September 25, 2020. The due date for the final initial determination is set at Monday, May 24, 2021.

The adopted schedule assumes that the Markman hearing will be held by videoconference, and the parties should prepare accordingly. However, if the Commission does not possess adequate videoconferencing capability by Monday, August 10, the Markman hearing will proceed telephonically. In the event of a telephonic Markman hearing, the parties should submit any visual aids or other materials they wish to refer to during the hearing to the assigned attorney-advisor no later than the start of the hearing.

I am generally agreeable to combining the Markman hearing with oral argument on Roku's contemplated motion for summary determination. However, if the parties wish oral argument on it, the motion must be filed no later than July 22, 2020, to provide adequate time to review the

moving papers, as well as the Markman briefs. I may determine that no oral argument is needed, and if so, I will promptly inform the parties.

Lastly, although the schedule assumes that witness will testify in real time (that is, that witness statements will not be used), they may need to testify via videoconference. If this cannot be accomplished, the schedule may need to be modified to use witness statements in lieu of direct testimony. The need for witness statements, and for any other accommodations, will be evaluated on an ongoing basis.

SO ORDERED.



Cameron Elliot
Administrative Law Judge

APPENDIX A

EVENT	DEADLINE
File identification of expert witnesses, including their expertise and curriculum vitae	Friday, July 24, 2020
Exchange list of claim terms to be construed	Wednesday, July 1, 2020
Exchange of proposed claim constructions	Wednesday, July 8, 2020
Initial deadline for responses to contention interrogatories on issues for which the responding party bears the burden of proof	Friday, July 10, 2020
Meet and confer to discuss and limit number of disputed claim terms	Monday, July 13, 2020
Initial <i>Markman</i> briefs	Wednesday, July 22, 2020
Rebuttal <i>Markman</i> briefs	Wednesday, August 5, 2020
File notice of prior art	Friday, September 25, 2020
Submission of joint proposed claim construction chart	Monday, August 10, 2020
Initial deadline for responses to contention interrogatories on issues for which the responding party does not bear the burden of proof	Friday, August 14, 2020
File tentative list of witnesses a party will call to testify at the hearing, with an identification of each witness' relationship to the party	Tuesday, October 6, 2020
<i>Markman</i> hearing	Wednesday-Thursday, August 19-20, 2020
Submission of updated joint proposed claim construction chart	Friday, August 28, 2020
Cut-off date for supplements to contention interrogatories on issues for which the responding party bears the burden of proof	Friday, October 16, 2020

EVENT	DEADLINE
Cut-off date for supplements to contention interrogatories on issues for which the responding party does not bear the burden of proof	Monday, November 2, 2020
Fact discovery cut-off and completion	Friday, November 6, 2020
Deadlines for motions to compel fact discovery	Friday, November 13, 2020
Exchange of initial expert reports	Wednesday, November 18, 2020
Exchange of rebuttal expert reports	Friday, December 4, 2020
Expert discovery cut-off and completion	Monday, December 21, 2020
Deadline for motions to compel expert discovery	Wednesday, December 30, 2020
Deadline for filing motions for summary determination	Wednesday, December 30, 2020
Exchange of exhibit lists among the parties	Tuesday, January 12, 2021
Submit and serve direct exhibits, with physical exhibits available	Tuesday, January 19, 2021
Submit and serve rebuttal exhibits, with rebuttal physical exhibits available	Tuesday, January 26, 2021
File pre-trial statements and briefs	Wednesday, February 3, 2021
Deadline to file motions <i>in limine</i>	Wednesday, February 10, 2021
File responses to motions <i>in limine</i>	Wednesday, February 17, 2021
Pre-trial conference	Monday, March 1, 2021
Hearing	Monday–Friday, March 1-5, 2021
File initial post-trial briefs and final exhibit lists	Monday, March 22, 2021
File reply post-trial briefs	Wednesday, March 31, 2021
Initial Determination	Monday, May 24, 2021
Target date for completion of investigation	Wednesday, September 22, 2021

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PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served upon the following parties as indicated, on **June 25, 2020**.



Lisa R. Barton, Secretary
U.S. International Trade Commission
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Washington, DC 20436

On Behalf of Complainant Universal Electronics, Inc.:

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- Via Express Delivery
- Via First Class Mail
- Other: Email Notification of Availability for Download

On Behalf of Respondents Funai Electric Co., Ltd., Funai Corporation Inc., Funai (Thailand) Co., Ltd., Hisense Co. Ltd., Hisense Electronics Manufacturing Company of America Corporation d/b/a Hisense USA, Hisense Import & Export Co. Ltd, Qingdao Hisense Electric Co., Ltd., and Hisense International (HK) Co., Ltd.:

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