

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

CERTAIN PRE-FILLED SYRINGES FOR  
INTRAVITREAL INJECTION AND  
COMPONENTS THEREOF

INV. NO. 337-TA-1207

ORDER NO. 8: PROCEDURAL SCHEDULE

(August 17, 2020)

On August 12, 2020, the parties submitted a joint proposed procedural schedule in response to Order No. 6. This investigation shall be conducted in accordance with the following schedule:

Event	Date
Monthly case management conference	September 16, 2020 at 1:30 p.m.
Exchange list of claim terms to be construed	September 17, 2020
Exchange proposed constructions for all terms and all lists	October 1, 2020
Deadline for responses to initial contention interrogatories on issues for which the party bears the burden of proof	October 2, 2020
File chart of agreed and disputed constructions	October 9, 2020
Monthly case management conference	October 14, 2020 at 1:30 p.m.
Deadline for responses to initial contention interrogatories on issues for which the party does not bear the burden of proof	October 21, 2020
File notice of prior art	October 21, 2020

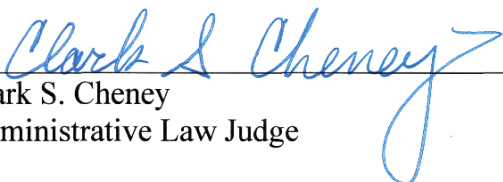
File identification of expert witnesses who may submit a declaration in support of <i>Markman</i> briefs, including their expertise and <i>curriculum vitae</i>	November 2, 2020
File opening claim construction briefs (private parties), including declarations from any expert witnesses	November 10, 2020
<b>Monthly case management conference</b>	<b>November 10, 2020 at 10:30 a.m.</b>
File identification of expert witnesses who may testify at the evidentiary hearing, including their expertise and curriculum vitae	November 13, 2020
File opening claim construction briefs (Staff)	November 17, 2020
File tentative list of witnesses a party will call to testify at the hearing, with an identification of each witness's relationship to the party	November 20, 2020
File responsive claim construction briefs (private parties), including declarations from any expert witnesses	November 24, 2020
<b><i>Markman</i> claim construction hearing &amp; monthly case management conference</b>	<b>December 10, 2020 at 9:00 a.m.</b>
Fact discovery cutoff and completion	December 18, 2020
Deadline for final contentions on issues for which the party bears the burden of proof	December 18, 2020
Deadline for final contentions on issues for which the party does not bear the burden of proof	December 18, 2020
Deadline for motions to compel discovery	December 22, 2020
<b>Monthly case management conference</b>	<b>January 14, 2021 at 10:30 a.m.</b>
Exchange initial expert reports (identify tests/surveys/data)	January 15, 2021
Exchange rebuttal expert reports	January 29, 2021
One-day mediation session	By February 10, 2021
Expert discovery cutoff and completion	February 12, 2021

Submit joint report on mediation	February 16, 2021
<b>Monthly case management conference</b>	<b>February 18, 2021 at 10:30 a.m.</b>
Deadline for filing summary determination motions	February 18, 2021
Exchange of exhibit lists among the parties of proposed direct exhibits	February 23, 2021
Complainant and respondent serve proposed direct exhibits, and identify physical exhibits <sup>1</sup>	March 2, 2021
Staff serves proposed direct exhibits, and identifies physical exhibits	March 5, 2021
Serve proposed rebuttal exhibits, and identify rebuttal physical exhibits	March 9, 2021
Complainants and respondent file pre-trial statements and briefs	March 12, 2021
<b>Monthly case management conference</b>	<b>March 18, 2021 at 10:30 a.m.</b>
Staff files pre-trial statement and brief	March 26, 2021
File joint list of unopposed exhibits	March 23, 2021
Deadline for motions <i>in limine</i>	March 31, 2021
Deadline for responses to motions <i>in limine</i>	April 8, 2021
<b>Final pre-hearing conference</b>	<b>April 16, 2021 at 9:00 a.m.</b>
<b>Hearing</b>	<b>April 19-23, 2021 at 9:00 a.m.</b>
File final exhibit list	April 29, 2021
Complainant and respondent file post-hearing initial briefs with the Secretary and submit final exhibits with the Administrative Law Judge	May 14, 2021
Staff files post-hearing initial brief	May 21, 2021

<sup>1</sup> The parties represent they will separately stipulate as to a schedule for exchanging direct and rebuttal demonstratives and objections in the event of live testimony at the evidentiary hearing.

Complainant and respondent file post-hearing responsive briefs	May 28, 2021
Staff files post-hearing responsive brief	June 4, 2021
<b>Final initial determination</b>	<b>July 29, 2021</b>
Target date for completion of investigation	November 29, 2021

**SO ORDERED.**

  
\_\_\_\_\_  
Clark S. Cheney  
Administrative Law Judge

**CERTAIN PRE-FILLED SYRINGES  
FOR INTRAVITREAL INJECTION  
AND COMPONENTS THEREOF**

**Inv. No. 337-TA-1207**

**PUBLIC CERTIFICATE OF SERVICE**

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served via EDIS upon the Commission Investigative Attorney, **W. Peter Guarnieri, Esq.**, and the following parties as indicated, on **August 17, 2020**.



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

**On Behalf of Complainants Novartis Pharma AG, Novartis  
Pharmaceuticals Corporation, and Novartis Technology LLC:**

Elizabeth J. Holland, Esq.  
**GOODWIN PROCTER LLP**  
The New York Times Building  
620 Eighth Avenue  
New York, NY 10018  
Email: EHolland@goodwinlaw.com

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

**On Behalf of Respondent Regeneron Pharmaceuticals, Inc.:**

Anish R. Desai, Esq.  
**WEIL, GOTSHAL & MANGES LLP**  
767 5<sup>th</sup> Avenue  
New York, NY 10153  
Email: anish.desai@weil.com

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Service to Be  
Completed by Complainants