

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

FG SRC LLC,

Plaintiff,

v.

INTEL CORPORATION,

Defendant.

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Case No. 1:20-CV-00834-ADA

Jury Trial Demanded

**AMENDED SCHEDULING ORDER**

Deadline Date	Item
Thursday 7/30/2020	Case Management Conference
Thursday 7/23/2020	Plaintiff serves preliminary <sup>1</sup> 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.
Thursday 8/13/2020	Deadline for Motions to Transfer
Thursday 9/17/2020	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, (2) technical documents, including software where applicable, sufficient to show the operation of the accused product(s), and (3) summary, annual sales information for the accused product(s) for the prior two years, unless the parties agree to some other timeframe.


<sup>1</sup> The parties may amend preliminary infringement contentions and preliminary invalidity contentions without leave of the court so long as counsel certifies that it undertook reasonable efforts to prepare its preliminary contentions and the amendment is based on material identified after those preliminary contentions were served, and should do so seasonably upon identifying any such material. Any amendment to add patent claims requires leave of court so that the Court can address any scheduling issues.

Deadline Date	Item
Thursday 10/1/2020	Parties exchange claim terms for construction.
Thursday 10/15/2020	Parties exchange proposed claim constructions.
Tuesday 10/27/2020	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 also provide a summary of the witness's expected testimony including the opinions to be expressed and a general description of the basis and reasons therefore. A failure to summarize the potential expert testimony in a good faith, informative fashion may result in the exclusion of the proffered 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.
Tuesday 11/3/2020	Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions.
Tuesday 11/17/2020	Plaintiff files Opening claim construction brief, including any arguments that any claim terms are indefinite.
Tuesday 12/8/2020	Defendant files Responsive claim construction brief.
Tuesday 1/12/2021	Plaintiff files Reply claim construction brief.
Tuesday 2/16/2021	Defendant files a Sur-Reply claim construction brief.
Friday 2/19/2021	Parties submit Joint Claim Construction Statement. See General Issues Note #8 regarding providing copies of the briefing to the Court and the technical adviser (if appointed).
Thursday 2/26/2021	Parties submit optional technical tutorials to the Court and technical adviser (if appointed). <sup>2</sup>
Thursday 3/5/2021	Markman Hearing at 1:30 p.m.

<sup>2</sup> The parties should contact the law clerk to request a Box link so that the party can directly upload the file to the

Friday 3/6/2021	Fact Discovery opens; deadline to serve Initial Disclosures per Rule 26(a).
Thursday 3/19/2021	Parties to propose remaining schedule within two weeks after Markman Hearing.

SIGNED this 23rd day of November, 2020.

  
ALAN D ALBRIGHT  
UNITED STATES DISTRICT JUDGE