

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

INTERDIGITAL COMMUNICATIONS,
INC., a Delaware corporation,
INTERDIGITAL TECHNOLOGY
CORPORATION, a Delaware corporation,
IPR LICENSING, INC., a Delaware
corporation, and INTERDIGITAL
HOLDINGS, INC., a Delaware corporation,

Plaintiffs and Counterclaim
Defendants,

v.

ZTE CORPORATION and ZTE (USA) INC.,

Defendants and
Counterclaim Plaintiffs.

C.A. No. 13-009-RGA

JURY TRIAL DEMANDED

INTERDIGITAL COMMUNICATIONS,
INC., a Delaware corporation,
INTERDIGITAL TECHNOLOGY
CORPORATION, a Delaware corporation,
IPR LICENSING, INC., a Delaware
corporation, and INTERDIGITAL
HOLDINGS, INC., a Delaware corporation,

Plaintiffs and Counterclaim
Defendants,

v.

NOKIA CORPORATION, NOKIA, INC.,
and MICROSOFT MOBILE OY,

Defendants and
Counterclaim Plaintiffs.

C.A. No. 13-010-RGA

JURY TRIAL DEMANDED

~~PROPOSED~~ **SCHEDULING ORDER**

Plaintiffs InterDigital Communications, Inc., InterDigital Technology Corporation, IPR Licensing, Inc. and InterDigital Holdings, Inc. (“InterDigital”), Defendants ZTE Corporation and ZTE (USA) Inc. (“ZTE”), Defendants Nokia Inc. and Microsoft Mobile Oy (“MMO”) hereby submit a joint proposed scheduling order as requested by the Court’s November 5, 2014 Order (D.I. 453) and following the status conference the Court held on December 16, 2014. The foregoing parties¹ are referred to herein collectively as the “parties.”

I. CLAIM CONSTRUCTION AND TRIAL ON ‘151 PATENT

The parties, by and through their undersigned counsel, hereby stipulate and agree to the following amendments to the June 26, 2013 Case Scheduling Order (D.I. 48 in C.A. No. 13-009 and D.I. 39 in C.A. No. 13-010). The following amendments are necessary for the Court and the parties to address additional claim construction issues related to U.S. Patent No. 7,941,151 (“‘151 patent”) and culminates in a two-day jury trial for ZTE on the ‘151 patent.

Event	Date
To the extent not resolved at the December 16 Scheduling Conference, Parties exchange a list of those claim term(s)/phrase(s) that they believe need construction and their proposed claim construction of those term(s)/phrase(s)	December 19, 2014
Parties File Joint Claim Construction Chart	December 23, 2014
Plaintiff serves opening brief (10 pages)	January 13, 2015
Defendants serve answering brief (15 pages)	January 27, 2015
Plaintiff serves reply brief (10 pages)	February 3, 2015
Defendants serve sur-reply brief (5 pages)	February 10, 2015
Parties file Joint Claim Construction Brief	February 17, 2015
Claim Construction Hearing	February 27, 2015 at 8:30 a.m.
Serve Supplemental Initial Expert Reports	March 13, 2015
Serve Supplemental Rebuttal Expert Reports	March 20, 2015

¹ Defendant Nokia Corp. did not take a position concerning scheduling and does not join in this pleading.

Event	Date
Complete Expert Discovery (including supplemental expert depositions)	April 3, 2015
Joint letter outlining any issues the parties believe must be addressed at the Pretrial Conference ²	April 8, 2015
ZTE '151 Pretrial Conference ³	April 10, 2015 at 8:30 a.m.
ZTE: Jury Trial on the '151 patent	April 20 – 21, 2015
MMO: Joint letter outlining any issues to be discussed at the Pretrial Conference	April 14, 2015
MMO: Pretrial Conference	April 17, 2015 at 9:00 a.m.
MMO: Jury Trial on Infringement and Invalidity of the '151 and '244 patents	April 27 – May 1, 2015 ⁴
MMO: Inequitable Conduct Trial	May 6, 2015

II. FRAND/DAMAGES DISCOVERY AND TRIAL

A. Scheduling

The parties, by and through their undersigned counsel, hereby stipulate and agree to the following amendments to the June 26, 2013 Case Scheduling Order (D.I. 48 in C.A. No. 13-009 and D.I. 39 in C.A. No. 13-010). Other than the deadlines set forth below, the parties stipulate and agree that the June 26, 2013 Case Scheduling Order issued by this Court shall govern the proceedings.

² ZTE may notify the Court of its desire to reassert a defense of invalidity. InterDigital objects as ZTE has waived its invalidity defenses and needs to seek leave of the Court to reassert them (December 16, 2014 Pretrial Conference at 16:17-23).

³ At the Pretrial Conference, the Court will consider any request by ZTE to reassert a defense of invalidity and whether to allow closings on April 22, 2015.

⁴ The parties respectfully reserve the right to ask the Court to conduct closing arguments on Monday, May 4, 2015.

Event	Date
Complete Fact Discovery Related to FRAND/Damages	August 21, 2015
Disclosure of Expert Testimony for Party with Burden of Proof	September 18, 2015
Supplemental/Rebuttal Expert Disclosure	October 16, 2015
Reply Expert Reports from Party with Burden of Proof	November 9, 2015
Complete Expert Discovery	December 4, 2015
Joint letter outlining any issues the parties believe must be addressed at the Status Conference	December 8, 2015
Status Conference	December 15, 2015 at 8:30 a.m.
Dispositive Motions	December 29, 2015
Deadline to Object to Expert Testimony	December 29, 2015
ZTE: Target Trial Date ⁵	March 21, 2016
MMO: Target Trial Date ⁶	April 11, 2016

B. Coordination

The parties agree to coordinate discovery for common or overlapping issues as between the ZTE and MMO cases.

December 23, 2014

⁵ The Court has determined that this date is a tentative, target date that is to be held by the parties and the Court, subject to the discussions with the Court on trial readiness and the structure of trial to be held during the December 15, 2015 Status Conference.

⁶ The Court has determined that this date is a tentative, target date that is to be held by the parties and the Court, subject to the discussions with the Court on trial readiness and the structure of trial to be held during the December 15, 2015 Status Conference.

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So ordered,



Honorable Judge Richard G. Andrews
UNITES STATES DISTRICT COURT JUDGE

12/29/14