

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

IN THE MATTER OF CERTAIN SILICON
MICROPHONE PACKAGES AND PRODUCTS
CONTAINING SAME

Inv. No. 337-TA-825

ORDER NO. 3: SETTING TARGET DATE AND DATE FOR SUBMISSION OF
JOINT PROPOSED PROCEDURAL SCHEDULE

(March 5, 2012)

Target Date

By publication of a notice in the Federal Register on January 13, 2012 pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, the Commission instituted this investigation to determine:

whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain silicon microphone packages and products containing same that infringe one or more of claims 1, 2, and 8-18 of the '616 patent and claims 1, 2, 5, 6, 11, 12, 15, 16, 19, 21-23, and 26 of the '049 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337.

77 Fed. Reg. 2087 (January 13, 2012).

Pursuant to Commission Rule 210.51(a), a target date for completion of this investigation must be set. To that end, on January 18, 2012, I issued Order No. 2, requesting that the parties file discovery statements, addressing, among other things, their position regarding the target date.

Taking into consideration the arguments set forth in the parties' discovery statements, the number of asserted patents and claims, and my responsibilities in the other investigations to which I am assigned, I am setting a target date of May 13, 2013 which is sixteen months from the date the

Notice of Investigation was published in the Federal Register. Consequently, any final initial determination would be due by January 11, 2013. *See* 19 CFR § 210.51(a); 19 CFR § 0.42(a)(1)(i).

Proposed Procedural Schedule

The parties shall file a joint proposed procedural schedule on or before March 19, 2012, which shall include, at a minimum, dates for each of the events set forth in Appendix A hereto. Based on the target date for this investigation, I anticipate the pre-hearing conference to start at 8:45 am on Monday, September 24, 2012, in Hearing Room TBD. Immediately after the conclusion of the pre-hearing conference, a technology tutorial will be held. The evidentiary hearing shall commence thereafter and shall conclude no later than Monday, October 1, 2012. The parties shall take these dates into consideration when proposing their procedural schedule.

SO ORDERED.



Thomas B. Pender
Administrative Law Judge

APPENDIX A

PROCEDURAL SCHEDULE, CASE NO. 337-TA-825	
Event	Date
First settlement conference	
Submit first settlement conference joint report	
File identification of expert witnesses, including their expertise and curriculum vitae	
Serve list of claim terms for construction	
File notice of prior art	
Serve proposed constructions of previously-identified claim terms	
Submit joint list identifying by asserted patent: those claim terms in dispute and the parties' proposed constructions of those disputed terms; and those claim terms at issue, but whose meanings are not disputed, and the joint proposed constructions of those claim terms	
Serve initial responses to contention interrogatories on the issues for which that party bears the burden	
Serve initial responses to contention interrogatories on the issues for which the opposing party bears the burden	
Second settlement conference	
Submit second settlement conference joint report	
Fact discovery cutoff and completion	
Serve initial expert reports (identify tests/surveys/data)	
Deadline for filing motions to compel discovery	
Serve rebuttal expert reports	
Expert discovery cutoff and completion	
Deadline for filing summary determination motions	
Third settlement conference	
Submit third settlement conference joint report	
File requests for receipt of evidence without a witness	
Serve proposed exhibit lists	
Serve direct exhibits (including witness statements), with available physical and demonstrative exhibits	
File objections to direct exhibits (including witness statements)	
File responses to objections to direct exhibits (including witness statements)	
Serve rebuttal exhibits (including witness statements), with available rebuttal physical and demonstrative exhibits	
File pre-hearing statements and briefs	
Submit direct and rebuttal exhibits (including witness statements) with available direct and rebuttal physical and demonstrative exhibits	
Deadline for filing motions <i>in limine</i>	
File high priority objections statement	

File objections to rebuttal exhibits (including witness statements)	
File responses to objections to rebuttal exhibits (including witness statements)	
File responses to high priority objections statement	September 13, 2012
File responses to motions <i>in limine</i>	September 13, 2012
Pre-hearing conference	September 24, 2012
Technology Tutorial	September 24, 2012
Hearing	September 24, 2012 through October 1, 2012
File initial post-hearing briefs and final exhibit lists	October 18, 2012
File reply post-hearing briefs	November 1, 2012
Initial Determination due	January 11, 2013
Target date for completion of investigation	May 13, 2013

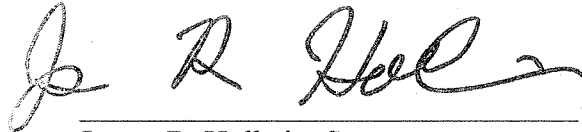
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PACKAGES AND PRODUCTS CONTAINING SAME**

337-TA-825

CERTIFICATE OF SERVICE

I, James R. Holbein, hereby certify that the attached **PUBLIC ORDER NO. 3** has been served upon the following parties via first class mail and air mail where necessary on

March 6, 2012.



James R. Holbein, Secretary
U.S. International Trade Commission
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