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**PATENT** 

# U.S. District Court District of Delaware (Wilmington) CIVIL DOCKET FOR CASE #: 1:22-cv-01257-GBW

RoboticVISIONTech, Inc. v. ABB Inc. Assigned to: Judge Gregory B. Williams Cause: 35:271 Patent Infringement Date Filed: 09/22/2022 Jury Demand: Plaintiff Nature of Suit: 830 Patent Jurisdiction: Federal Question

#### **Plaintiff**

RoboticVISIONTech, Inc.

### represented by John W. Shaw

Shaw Keller LLP I.M. Pei Building 1105 North Market Street 12th Floor Wilmington, DE 19801 302-298-0701 Email: jshaw@shawkeller.com LEAD ATTORNEY ATTORNEY TO BE NOTICED

## Anna G. Phillips

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#### William H. Milliken

Email: wmilliken@sternekessler.com PRO HAC VICE ATTORNEY TO BE NOTICED

V.

**Defendant** 

ABB Inc.

represented by **Benjamin J. Schladweiler**Greenberg Traurig, LLP



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Brian A. Biggs

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#### Andrew R. Sommer

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# Gregory S. Bombard

Email: gregory.bombard@gtlaw.com PRO HAC VICE ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text			
09/22/2022	1	COMPLAINT for PATENT INFRINGEMENT filed with Jury Demand against ABB Inc. (Filing fee \$ 402, rec number ADEDC-3965752.) - filed by Robotic VISIONTech, Inc (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10 11 Exhibit 11, # 12 Exhibit 12, # 13 Civil Cover Sheet) (vfm) (Entered: 09/23/2022)			
09/22/2022	2	Notice, Consent and Referral forms re: U.S. Magistrate Judge jurisdiction. (vfm) (Entered: 09/23/2022)			
09/22/2022	3	Report to the Commissioner of Patents and Trademarks for Patent/Trademark Number(s) US 6,816,755 B2 ;US 7,336,814 B2 ;US 8,095,237 B2. (vfm) (Entered: 09/23/2022)			
09/22/2022	4	Report to the Register of Copyrights for Copyright Number(s)TX 9-169-843;. (vfm) (Entered: 09/23/2022)			
09/22/2022	<u>5</u>	Disclosure Statement pursuant to Rule 7.1: No Parents or Affiliates Listed filed by RoboticVISIONTech, Inc. (vf (Entered: 09/23/2022)			
09/22/2022	<u>6</u>	Summons Issued as to ABB Inc. on 9/22/2022. (vfm) (Entered: 09/23/2022)			
09/22/2022		Remark: Copyright AO 121 form mailed to Register of Copyrights. (vfm) (Entered: 09/23/2022)			
09/23/2022	7	SUMMONS Returned Executed by RoboticVISIONTech, IncABB Inc. served on 9/23/2022, answer due 10/14/2022. (Shaw, John) (Entered: 09/23/2022)			
09/28/2022		Case Assigned to Judge Gregory B. Williams. Please include the initials of the Judge (GBW) after the case numon all documents filed. (rjb) (Entered: 09/28/2022)			
10/12/2022	8	STIPULATION TO EXTEND TIME to answer, move, or otherwise respond to the Complaint to December 13, 2022 - filed by ABB Inc (Biggs, Brian) (Entered: 10/12/2022)			
10/13/2022		SO ORDERED, re <u>8</u> STIPULATION TO EXTEND TIME to answer, move, or otherwise respond to the Compto December 13, 2022 filed by ABB Inc Signed by Judge Gregory B. Williams on 10/13/2022. (etg) (Entered 10/13/2022)			
11/03/2022	9	NOTICE of Appearance by Benjamin J. Schladweiler on behalf of ABB Inc. (Schladweiler, Benjamin) (Entered: 11/03/2022)			
11/03/2022	10	MOTION for Brian A. Biggs to Withdraw as Attorney - filed by ABB Inc (Biggs, Brian) (Entered: 11/03/2022)			
12/13/2022	11	MOTION to Dismiss for Failure to State a Claim <i>Defendant's Motion to Dismiss Plaintiff's Trade Secret Misappropriation Claims (Counts VII and VIII)</i> - filed by ABB Inc (Schladweiler, Benjamin) (Entered: 12/13/2022)			



12/13/2022	12	OPENING BRIEF in Support re 11 MOTION to Dismiss for Failure to State a Claim <i>Defendant's Motion to Dismiss Plaintiff's Trade Secret Misappropriation Claims (Counts VII and VIII)</i> filed by ABB IncAnswering Brief/Response due date per Local Rules is 12/27/2022. (Schladweiler, Benjamin) (Entered: 12/13/2022)			
12/13/2022	<u>13</u>	MOTION for Pro Hac Vice Appearance of Attorney Gregory S. Bombard and Andrew Sommer - filed by ABB (Attachments: #1 Text of Proposed Order Proposed Order, #2 Certification by Counsel to Be Admitted Pro Hac Vice - Gregory S. Bombard, Esq., #3 Certification by Counsel to Be Admitted Pro Hac Vice - Andrew Sommer Esq.)(Schladweiler, Benjamin) (Entered: 12/13/2022)			
12/13/2022	<u>14</u>	Disclosure Statement pursuant to Rule 7.1: No Parents or Affiliates Listed filed by ABB Inc (Schladweiler Benjamin) (Entered: 12/13/2022)			
12/16/2022		SO ORDERED, re 13 MOTION for Pro Hac Vice Appearance of Attorney Gregory S. Bombard and Andrew Sommer filed by ABB Inc. Signed by Judge Gregory B. Williams on 12/15/2022. (etg) (Entered: 12/16/2022)			
12/16/2022		Pro Hac Vice Attorney Andrew R. Sommer and Gregory S. Bombard for ABB Inc. added for electronic noticing Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be require file all papers. (mpb) (Entered: 12/16/2022)			
12/20/2022	<u>15</u>	STIPULATION TO EXTEND TIME for plaintiff to file its answering brief in opposition to defendant's motion dismiss and for defendant to file its reply brief to January 10, 2023 and January 24, 2023 respectively - filed by RoboticVISIONTech, Inc (Shaw, John) (Entered: 12/20/2022)			
12/21/2022		SO ORDERED, re 15 STIPULATION TO EXTEND TIME for plaintiff to file its answering brief in opposition defendant's motion to dismiss and for defendant to file its reply brief to January 10, 2023 and January 24, 2023 respectively filed by Robotic VISIONTech, Inc. Signed by Judge Gregory B. Williams on 12/21/22. (ntl) (Enter 12/21/2022)			
01/10/2023	<u>16</u>	ANSWERING BRIEF in Opposition re 11 MOTION to Dismiss for Failure to State a Claim <i>Defendant's Motion to Dismiss Plaintiff's Trade Secret Misappropriation Claims (Counts VII and VIII)</i> filed by Robotic VISIONTech, IncReply Brief due date per Local Rules is 1/17/2023. (Shaw, John) (Main Document 16 replaced on 1/11/2023) (apk). (Entered: 01/10/2023)			
01/11/2023		CORRECTING ENTRY: D.I. <u>16</u> replaced per counsels request due to a typographical error in the previous filing. (apk) (Entered: 01/11/2023)			
01/23/2023	<u>17</u>	STIPULATION TO EXTEND TIME for Defendant to file and serve its reply brief in support of its Motion to Dismiss to January 27, 2023 - filed by ABB Inc (Schladweiler, Benjamin) (Entered: 01/23/2023)			
01/24/2023		SO ORDERED, re 17 STIPULATION TO EXTEND TIME for Defendant to file and serve its reply brief in support of its Motion to Dismiss to January 27, 2023 filed by ABB Inc. Signed by Judge Gregory B. Williams on 1/24/23. (ntl) (Entered: 01/24/2023)			
01/27/2023	<u>18</u>	REPLY BRIEF re 11 MOTION to Dismiss for Failure to State a Claim <i>Defendant's Motion to Dismiss Plaintiff's Trade Secret Misappropriation Claims (Counts VII and VIII)</i> filed by ABB Inc (Schladweiler, Benjamin) (Entered: 01/27/2023)			
02/02/2023	<u>19</u>	REQUEST for Oral Argument by ABB Inc. re 11 MOTION to Dismiss for Failure to State a Claim <i>Defendant Motion to Dismiss Plaintiff's Trade Secret Misappropriation Claims (Counts VII and VIII)</i> . (Schladweiler, Benjamin) (Entered: 02/02/2023)			
02/02/2023	<u>20</u>	Letter to The Honorable Gregory B. Williams from John W. Shaw regarding request for Oral Argument - re 1 MOTION to Dismiss for Failure to State a Claim <i>Defendant's Motion to Dismiss Plaintiff's Trade Secret Misappropriation Claims (Counts VII and VIII)</i> . (Shaw, John) (Entered: 02/02/2023)			
03/28/2023	<u>21</u>	MOTION for Pro Hac Vice Appearance of Attorney Michael E. Joffre, William H. Milliken, Kristina Caggian Kelly, and Anna G. Phillips - filed by RoboticVISIONTech, Inc (Shaw, John) (Entered: 03/28/2023)			
03/29/2023	22	NOTICE OF SERVICE of 1. RVT's First Set of Interrogatories to ABB (Nos. 1 - 12) 2. RVT's First Set of Requirements and Things (Nos. 1 - 42) to ABB filed by Robotic VISIONTech, Inc (DiBenedetto, Emily) (Entered: 03/29/2023)			
03/29/2023	<u>23</u>	NOTICE OF SERVICE of Defendant's First Set of Interrogatories to Plaintiff filed by ABB Inc(Schladweiler, Benjamin) (Entered: 03/29/2023)			
03/30/2023		SO ORDERED, re <u>21</u> MOTION for Pro Hac Vice Appearance of Attorney Michael E. Joffre, William H. Milliken, Kristina Caggiano Kelly, and Anna G. Phillips filed by RoboticVISIONTech, Inc. Signed by Judge Gregory B. Williams on 3/30/23. (ntl) (Entered: 03/30/2023)			
03/30/2023		Pro Hac Vice Attorney Michael E. Joffre, Kristina C. Kelly, William H. Milliken, and Anna G. Phillips for RoboticVISIONTech, Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shabe the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 03/30/2023)			



20/23, 9:02 PM		CM/ECF LIVE - U.S. District Court:ded				
04/03/2023	24	NOTICE OF SERVICE of RVT's Initial Disclosures with Exhibits A-C filed by RoboticVISIONTech, Inc (DiBenedetto, Emily) (Entered: 04/03/2023)				
04/10/2023	<u>25</u>	NOTICE OF SERVICE of RVT's Disclosures Pursuant to F.R.C.P. 26(a)(1) filed by RoboticVISIONTech, Inc (Shaw, John) (Entered: 04/10/2023)				
04/10/2023	<u>26</u>	MOTION for Pro Hac Vice Appearance of Attorney J.C. Rozendaal - filed by RoboticVISIONTech, Inc (Shaw John) (Entered: 04/10/2023)				
04/12/2023		SO ORDERED, re 26 MOTION for Pro Hac Vice Appearance of Attorney J.C. Rozendaal filed by Robotic VISIONTech, Inc. Signed by Judge Gregory B. Williams on 4/12/23. (ntl) (Entered: 04/12/2023)				
04/12/2023		Pro Hac Vice Attorney John C. Rozendaal for Robotic VISIONTech, Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (twk) (Entered: 04/12/2023)				
04/14/2023	<u>27</u>	PROPOSED ORDER [Proposed] Scheduling Order by RoboticVISIONTech, Inc (Attachments: # 1 Cover Letter to The Honorable Gregory B. Williams)(Shaw, John) (Entered: 04/14/2023)				
04/28/2023	28	NOTICE OF SERVICE of (I) ABB Inc.'s Objections and Responses to RoboticVisionTech, Inc.'s First Set of Requests for the Production of Documents and Things (Nos. 1-42) and (II) ABB Inc.'s Objections and Responses RoboticVisionTech, Inc.'s First Set of Interrogatories (Nos. 1-12) filed by ABB Inc(Schladweiler, Benjamin) (Entered: 04/28/2023)				
05/01/2023	<u>29</u>	NOTICE OF SERVICE of RVT's Responses to ABB's First Set of Interrogatories to Plaintiff (Nos. 1-12) filed by Robotic VISIONTech, Inc(Shaw, John) (Entered: 05/01/2023)				
05/08/2023	30	MOTION to Strike <i>Plaintiff RoboticVisionTech, Inc.'s Identification of Accused Products and Trade Secrets serv on March 31, 2023</i> - filed by ABB Inc (Attachments: # 1 Text of Proposed Order)(Schladweiler, Benjamin) (Entered: 05/08/2023)				
05/08/2023	31	Letter OPENING BRIEF in Support re 30 MOTION to Strike <i>Plaintiff RoboticVisionTech, Inc.'s Identification of Accused Products and Trade Secrets served on March 31, 2023</i> filed by ABB IncAnswering Brief/Response du date per Local Rules is 5/22/2023. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F)(Schladweiler, Benjamin) (Entered: 05/08/2023)				
05/15/2023	32	Letter to the Honorable Gregory B. Williams from John W. Shaw regarding Response in Opposition to ABB's Motion to Strike - re 30 MOTION to Strike <i>Plaintiff RoboticVisionTech, Inc.'s Identification of Accused Product and Trade Secrets served on March 31, 2023.</i> (Shaw, John) (Entered: 05/15/2023)				
05/18/2023	33					
05/18/2023	34	Letter to The Honorable Gregory B. Williams from Benjamin J. Schladweiler regarding request for a teleconference regarding Defendants' Motion to Strike. (Schladweiler, Benjamin) (Entered: 05/18/2023)				
06/22/2023	<u>35</u>	PROPOSED ORDER Stipulated Protective Order by ABB Inc (Schladweiler, Benjamin) (Entered: 06/22/2023)				
06/26/2023		SO ORDERED, re 35 PROPOSED ORDER Stipulated Protective Order by ABB Inc. Signed by Judge Gregory B. Williams on 6/26/2023. (etg) (Entered: 06/26/2023)				
07/27/2023	<u>36</u>	Letter to The Honorable Gregory B. Williams from Nathan R. Hoeschen regarding Request for the Scheduling of Discovery Teleconference. (Hoeschen, Nathan) (Entered: 07/27/2023)				
07/28/2023	37	ORAL ORDER: Having reviewed the parties' letter requesting a discovery teleconference (D.I. 36), IT IS HEREBY ORDERED that, by no later than 5:00 p.m. on Wednesday, August 2, 2023, any party seeking relief shill with the Court a letter, not to exceed three (3) pages, outlining the issues in dispute and its position on those issues. Not later than 5:00 p.m. on Monday, August 7, 2023, any party opposing the application for relief may fill letter, not to exceed three (3) pages, outlining that party's reasons for its opposition. The parties shall provide the Court with two (2) courtesy paper copies of the respective letters with hard tabs inserted before any exhibits. Additionally, the Court has reviewed Plaintiff's Motion to Strike (D.I. 30) and accompanying briefing (D.I. 31; I. 32; D.I. 33). IT IS ALSO HEREBY ORDERED that a teleconference is scheduled for Wednesday, August 16, 20 at 11 AM to hear both the discovery motions and Motion to Strike (D.I. 30). The Court will allocate sixty (60) minutes for the teleconference with the time to be divided as follows: thirty (30) minutes split equally between b sides to address the discovery disputes, and thirty (30) minutes split equally between both sides to address Plaintiff's Motion to Strike (D.I. 30). The parties shall arrange for the teleconference and shall provide chambers with the call-in information. ORDERED by Judge Gregory B. Williams on 7/28/23. (ntl) (Entered: 07/28/2023)				
08/02/2023	38	Letter to The Honorable Gregory B. Williams from Emily S. DiBenedetto regarding RVT's Motion to Compel Document Production. (Attachments: # 1 Exhibit A)(DiBenedetto, Emily) (Entered: 08/02/2023)				



08/02/2023	39	Letter to The Honorable Gregory B. Williams from Benjamin J. Schladweiler regarding motion to compel RVT t supplement Interrogatory Nos. 4-7. (Attachments: # 1 Exhibit 1, # 2 Text of Proposed Order)(Schladweiler, Benjamin) (Entered: 08/02/2023)			
08/04/2023	40	NOTICE of Change of Address of Sterne, Kessler, Goldstein & Fox, P.L.L.C. by RoboticVISIONTech, Inc. (DiBenedetto, Emily) (Entered: 08/04/2023)			
08/07/2023	41	Letter to The Honorable Gregory B. Williams from Nathan R. Hoeschen regarding RVT's Opposition to ABB's Motion to Compel Responses to Interrogatories - re 39 Letter, 37 Order Setting Teleconference,,,, (Hoeschen, Nathan) (Entered: 08/07/2023)			
08/07/2023	42	Letter to The Honorable Gregory B. Williams from Benjamin J. Schladweiler regarding Opposition to Plaintiff's Motion to Compel - re 38 Letter. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Schladweiler, Benjamin) (Entered: 08/07/2023)			
08/09/2023	43	NOTICE OF SERVICE of ABB Inc.s Supplemental Objections and Response to Robotic Vision Tech, Inc.s Interrogatory No. 5 filed by ABB Inc (Schladweiler, Benjamin) (Entered: 08/09/2023)			
08/16/2023		Minute Entry for proceedings held before Judge Gregory B. Williams - Telephone Conference held on 8/16/2023. (Court Reporter M. Rolfe.) (ntl) (Entered: 08/16/2023)			
08/16/2023	44	ORAL ORDER: Having considered the parties' written submissions and oral argument, and for the reasons state on the record during todays telephonic hearing, IT IS HEREBY ORDERED that (1) Defendant ABB Inc.'s Motion to Strike Plaintiff's Identification of Accused Products and Trade Secrets, D.I. 30, is DENIED; (2) Plaintiff RoboticVISIONTech, Inc.'s Motion to Compel Document Production, D.I. 38, is GRANTED; and (3) Defendant ABB Inc.'s Motion to Compel Plaintiff to Supplement Its Responses to Interrogatories Nos. 4 - 7, D.I. 39, is GRANTED. ORDERED by Judge Gregory B. Williams on 8/16/2023. (ntl) (Entered: 08/16/2023)			
08/18/2023	<u>45</u>	NOTICE OF SERVICE of (1) Defendant's Second Set of Interrogatories to Plaintiff and (2) Defendant's First Set of Requests for Production to Plaintiff filed by ABB Inc(Schladweiler, Benjamin) (Entered: 08/18/2023)			
08/22/2023	46	NOTICE OF SERVICE of RVTs Second Set of Interrogatories to ABB (Nos. 13-21) filed by RoboticVISIONTech, Inc(DiBenedetto, Emily) (Entered: 08/22/2023)			
08/24/2023	47	PROPOSED ORDER [Proposed] Scheduling Order by RoboticVISIONTech, Inc (Attachments: # 1 Cover Lett to The Honorable Gregory B. Williams)(Shaw, John) (Entered: 08/24/2023)			
08/30/2023	48	SCHEDULING ORDER: Fact Discovery completed by 7/5/2024. Status Report due by 6/21/2024. Dispositive Motions due by 11/20/2024. Joint Claim Construction Brief due by 3/29/2024. A Markman Hearing is set for 5/1/2024 at 01:00 PM in Courtroom 6B before Judge Gregory B. Williams. A Final Pretrial Conference is set for 4/10/2025 at 03:00 PM in Courtroom 6B before Judge Gregory B. Williams. An 8-day Jury Trial is set for 4/21/2025 at 09:30 AM in Courtroom 6B before Judge Gregory B. Williams. Signed by Judge Gregory B. Williams Signed by Judge Gregory B. Williams (Entered: 08/30/2023)			
09/05/2023	49	NOTICE OF SERVICE of Defendant ABB Inc.'s Initial Disclosures and Paragraph 3 Disclosures filed by ABB Inc(Schladweiler, Benjamin) (Entered: 09/05/2023)			
09/05/2023	<u>50</u>	NOTICE OF SERVICE of 1) RVT's Amended Disclosures filed by RoboticVISIONTech, Inc(Shaw, John) (Entered: 09/05/2023)			
09/18/2023	<u>51</u>	NOTICE OF SERVICE of RVT's Supplemental Responses and Objections to ABB's First Set of Interrogatories to Plaintiff (Nos. 4-7) filed by RoboticVISIONTech, Inc(Keller, Karen) (Entered: 09/18/2023)			
09/19/2023	<u>52</u>	NOTICE OF SERVICE of 1. RVT's Responses and Objections to ABB's Second Set of Interrogatories to Plaintiff (Nos. 13 - 15) 2.RVT's Responses and Objections to ABB's First Request for Production to Plaintiff (Nos. 1 - 64) filed by RoboticVISIONTech, Inc(Keller, Karen) (Entered: 09/19/2023)			

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