

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN WIRELESS FRONT-END
MODULES AND DEVICES CONTAINING
SAME**

Investigation No. 337-TA-1413

**ORDER NO. 20: FIRST AMENDED AOPTED PROCEDURAL SCHEDULE:
ADOPTING-IN-PART PARTIES' JOINT PROPOSED
AMENDMENT TO ADOPTED PROCEDURAL SCHEDULE
[EDIS DOC. ID NO. 840984]**

(January 22, 2025)

In Order No. 17, Complainants Skyworks Solutions, Inc., Skyworks Solutions Canada, Inc., and Skyworks Global Pte Ltd. (collectively, “Complainants” or “Skyworks”), Respondents Kangxi Communication Technologies (Shanghai) Co., Ltd., Grand Chip Labs, Inc., (collectively, “KCT”), D-Link Corporation and D-Link Systems Inc. (collectively, “D-Link”), and Ruijie Networks Co., Ltd. (“Ruije”) (collectively, “Respondents” and, with Skyworks, “the Private Parties”), and the Office of Unfair Import Investigations (“Staff” and, with the Private Parties, “the Parties”) were ordered to file, by January 7, 2025, a joint proposed modification to the Adopted Procedural Schedule that would extend the schedule by no more than four (4) weeks. (Order No. 17 at 10.). The Parties filed a Joint Proposed Amended Procedural Schedule (“JPAPS”) that, among other things, requested that the evidentiary hearing (“Hearing”) commence on Wednesday, June 25 and conclude on Tuesday, July 1, 2025. (EDIS Doc. ID No. 840652.).¹

¹ The Parties’ Joint Proposed Procedural Schedule was filed at 5:21 p.m. on January 7, 2025, so it was not officially received until January 8, 2025.

On January 13, 2025, the Parties filed a Second Joint Proposed Amended Procedural Schedule (“SJPAPS”) that, among other things, requested that the Hearing commence on Monday, June 23rd and to conclude on Monday, June 30th, 2025. (EDIS Doc. ID No. 840984.). The Parties’ justification for their second submission, which involved moving the start date ahead by two (2) days, is that one of Respondents’ experts, who is testifying regarding non-infringement and invalidity for two of the three patents, has a long-scheduled academic conference in New Zealand, for which he must depart by Friday, June 27. (SJPAPS at 1-2.). According to the Parties, if the hearing cannot start two days earlier, then the expert would potentially have to testify in the middle of Skyworks’ case-in-chief. (*Id.*).

Additionally, the Parties have asked for a sixth Hearing day. The Parties’ justification for expanding the time for the evidentiary hearing from five days to six days is that some fact witnesses may testify in Chinese and therefore require translation. Testimonial translation often requires 1.5 to 2 times the time typically required for untranslated testimony.

The Parties’ Second Joint Proposed Amended Procedural Schedule is hereby adopted-in-part. Instead of adopting the five (5) consecutive days plus a sixth day the following week, the First Amended Adopted Procedural Schedule provides dates in 3-day consecutive increments that spaces the Hearing while recognizing the dates that the expert would not be available. As a result, the Hearing will be held on June 25, June 26, June 27, July 9th, July 10th, and July 11th. Certain post-hearing dates have been modified to accommodate the change in hearing dates, as set forth below. The following is the First Amended Adopted Procedural Schedule that will apply going forward in this Investigation:

FIRST AMENDED ADOPTED PROCEDURAL SCHEDULE

Event	Date(s)
Staff Files Markman Brief	January 6, 2025
Complainants File Amended Complaint	January 7, 2025
Respondents File Amended Notice of Prior Art that addresses only the asserted claims added pursuant to Order No. 17 (i.e., claims 2, 3, 8, and 9 of U.S. Patent No. 9,450,579)	January 17, 2025
<i>Markman</i> Hearing (If Ordered) & Management Conference	January 23, 2025
File Joint Chart Setting Forth Parties' Post-Hearing Claim Constructions (Per Ground Rule 1.14)	January 30, 2025
Management Conference (Likely on Webex)	February 11, 2025 2:00 p.m.
Last Day to File Motions to Compel Discovery (The expectation is that these are filed as discovery proceeds, with the last request for intervention pursuant to Ground Rule at least one week before the close of Fact Discovery unless leave is given for a later filing)	February 12, 2025
Fact Discovery Cutoff and Completion (This includes identification of Tests/Surveys/Data) (No extensions)	February 19, 2025

Event	Date(s)
without Leave) (Note: this means that <i>all fact contentions on infringement and invalidity have been exchanged and completed</i>)	
Exchange of Initial Expert Reports (Send copies to McNamara337@usitc.gov)	February 28, 2025
Technology Stipulation Deadline	March 4, 2025
Exchange of Rebuttal Expert Reports (Send copies to McNamara337@usitc.gov)	March 21, 2025
Management Conference (Likely on Webex)	March 12, 2025 2:00 p.m.
Expert Discovery Cutoff and Completion (No extensions without Leave)	April 11, 2025
Parties Exchange Hearing Exhibit Lists (Most likely, Tentative)	April 17, 2025
File Motions for Receipt of Evidence Without a Witness	April 21, 2025
Last Day to file Summary Determination Motions	April 25, 2025

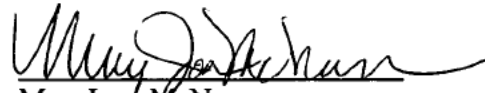
Event	Date(s)
Attendance at One-day Mediation Session ²	April 28, 2025
Submission of Mediation Report	May 5, 2025
Complainants and Respondents file Pre-Hearing Statements and Pre-Hearing Briefs	May 16, 2025
Submission of Declarations Justifying Confidentiality of Exhibits	May 21, 2025
Last day to file Motions <i>in Limine</i> (“MIL”) (Complainants and Respondents are each limited to no more than two (2) MILs and HPOs in combination, and Respondents are limited to no more than three (3) MILs and HPOs in combination) without Leave	May 23, 2025
Last day to file High Priority Objections (“HPO”) (See note for MIL)	May 23, 2025
Staff files Pre-Hearing Statement and Pre-Hearing Brief	May 30, 2025
File Responses to Motions <i>in Limine</i>	May 30, 2025
File Responses to High Priority Objections	May 30, 2025
Parties file Joint Outline of Issues from Pre-Hearing Briefs (Per Ground Rule 7.3)	June 2, 2025

² For questions that pertain to the mediation program, the parties should refer to the Revised Users’ Manual for Commission Mediation Program, available at <http://www.usitc.gov>.

Event	Date(s)
File on EDIS any Stipulations Regarding Exchange of Demonstratives for Evidentiary Hearing and Any Other Stipulations into Which the Parties Enter	June 4, 2025
Pre-Hearing Conference (There May Be One or More Conferences Before to Resolve MILS or Other Issues)	June 23, 2025
Evidentiary Hearing (Starting with Tutorials, as Parties Propose)	June 23-27, 2025 and July 9-11, 2025
Last Day to submit Final Exhibits to Box. All Exhibits should be properly labeled (Follow the Ground Rules and Docket Requirements)	July 18, 2025
Complainants and Respondents file Initial Post-Hearing Briefs (Only on Issues for Which the Party Bears the Burden of Proof) and Final Exhibit Lists	July 25, 2025
Staff files Initial Post-Hearing Brief	August 1, 2025
Complainants and Respondents file Reply Post-Hearing Briefs (Only on Issues Discussed in the Initial Post-Hearing Brief of an Opposing Party)	August 8, 2025
Staff files Reply Post-Hearing Brief	August 15, 2025
Parties File Outline of Issues, Tracing Arguments from Pre- Hearing Through Post-Hearing Reply Briefs (Include Arguments That Have Been Dropped, Per Ground Rule 7.3)	August 20, 2025
Final ID due	

Event	Date(s)
	November 20, 2025
Target Date	March 23, 2026

SO ORDERED.


MaryJoan McNamara
Administrative Law Judge