

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

CERTAIN SMART WEARABLE
DEVICES, SYSTEMS, AND
COMPONENTS THEREOF

INV. NO. 337-TA-1398

ORDER NO. 9: PROCEDURAL SCHEDULE

(May 15, 2024)

Complainants Ouraring, Inc. and Ōura Health Oy, respondents Ultrahuman Healthcare Pvt. Ltd., Ultrahuman Healthcare Ltd., Ultrahuman Healthcare SP LLC, and Circular SAS, and the Commission Investigative Staff submitted a proposed procedural schedule in response to Order No. 7.¹ The proposed schedule was discussed during the preliminary conference. This investigation will be conducted based on the following schedule.

EVENT	DATE
Deadline to produce source code	May 31, 2024
Monthly case management conference	June 4, 2024, 1:00 p.m. ET
File notice of prior art	June 27, 2024
File identification of expert witnesses, including their expertise and curriculum vitae	June 28, 2024
Exchange initial burden contention interrogatory responses	June 28, 2024
Exchange list of claim terms to be construed	July 3, 2024
Private parties exchange proposed constructions for all terms on all lists	July 9, 2024

¹ Respondents Shenzhen Ninenovo Technology Limited and RingConn LLC confirmed that they approve the proposed procedural schedule during the preliminary conference. Tr. at 8:2–11 (EDIS Doc. ID 821086).

EVENT	DATE
Monthly case management conference	July 10, 2024, 1:00 p.m. ET
Staff exchanges proposed constructions for all terms on all lists	July 12, 2024
Exchange initial non-burden contention interrogatory responses	July 17, 2024
File chart of agreed and disputed constructions	July 19, 2024
Private parties file opening claim construction briefs	July 26, 2024
Staff files opening claim construction brief	August 2, 2024
File tentative list of witnesses a party will call to testify at the hearing, with an identification of each witness's relationship to the party	August 1, 2024
File responsive claim construction briefs	August 9, 2024
Claim construction hearing and monthly case management conference	August 15, 2024, 9:00 a.m. ET
Exchange final burden contention interrogatory responses	August 21, 2024
Exchange final non-burden contention interrogatory responses	August 30, 2024
Fact discovery cutoff and completion	September 5, 2024
Deadline for motions to compel discovery	September 6, 2024
Exchange initial expert reports (identify tests/surveys/data)	September 6, 2024
Monthly case management conference	September 17, 2024, 1:00 p.m. ET
Exchange rebuttal expert reports	September 27, 2024
Deadline for filing summary determination motions	October 11, 2024
Deadline for completing one-day mediation session	October 15, 2024
Submit joint report on mediation	14 days after mediation
Expert discovery cutoff and completion	October 21, 2024
Monthly case management conference	October 22, 2024, 1:00 p.m. ET
Exchange of exhibit lists among the parties	October 23, 2024
Complainants and Respondents serve proposed direct exhibits and identify physical exhibits	October 30, 2024

EVENT	DATE
Staff serves proposed direct exhibits, and identifies physical exhibits	November 6, 2024
Serve proposed rebuttal exhibits and identify rebuttal physical exhibits	November 6, 2024
Complainants and Respondents file pre-hearing statements and briefs	November 12, 2024
Deadline for motions in limine	November 19, 2024
Staff files pre-trial statement and brief	November 22, 2024
Monthly case management conference	November 25, 2024, 1:00 p.m. ET
File joint list of unopposed exhibits	November 26, 2024
File responses to motions in limine	November 26, 2024
Exchange prepared demonstrative exhibits	December 10, 2024
Final pre-hearing conference	December 11, 2024, 9:00 a.m. ET
Evidentiary Hearing	December 11–17, 2024
File final exhibit list	December 23, 2024
Complainants and Respondents file initial post-hearing briefs and submit final exhibits	January 7, 2025
Staff files initial post-hearing brief	January 13, 2025
Complainants and Respondents file responsive post-hearing briefs	January 17, 2025
Staff files responsive post-hearing brief	January 24, 2025
Final initial determination on violation	April 18, 2025
Target date for completion of investigation (16-month target date)	August 18, 2025

SO ORDERED.


 Doris Johnson Hines
 Administrative Law Judge

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served via EDIS upon the Commission Investigative Attorney, **Whitney Winston, Esq.**, and upon the following parties as indicated, on **May 15, 2024**.



Lisa R. Barton, Secretary
U.S. International Trade Commission
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