

Local Patent Rules - Northern District of Ohio

Appendix B -- Report of Parties' Planning Meeting in Patent Cases

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
_____DIVISION

)	CASE NO.
Plaintiff,)	
)	
v.)	JUDGE
)	
Defendant.)	Report of Parties' Planning Meeting
)	Under Fed. R.Civ.P.26(F),
)	LR16.3(b)(3)
)	and LPR 2.1

1. Pursuant to Fed. R.Civ. P. 26(f), LR 16.3(b)(3) and LPR 2.1, a meeting was held on [MM/DD/YYYY] and was attended by:

_____ counsel for plaintiff(s) _____
_____ counsel for plaintiff(s) _____
_____ counsel for defendant(s) _____
_____ counsel for defendant(s) _____

2. The parties do/do not consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).

3. **Scheduling**

a. **Proposed Schedule:**

[Counsel shall include dates for all disclosures required by the Local Patent Rules for the Northern District of Ohio to the extent such disclosures have not already been made.]

b. If the parties are advocating a departure from the dates set forth in the Patent Local Rules, set forth the basis for said departure: _____

4. **Anticipated Motions**

a. The parties anticipate filing the following motions:

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- i. ___ Preliminary injunction. Proposed briefing schedule: _____

- ii. ___ Motion to add or substitute parties. Proposed briefing schedule: _____

- iii. ___ [Other]. Proposed briefing schedule: _____

b. The following issues may be the proper subject of an early motion for summary judgment or partial summary adjudication:

- i. ___ Inventorship or Indefiniteness (describe basis) _____

- ii. ___ Invalidating sale, offer for sale, or display (describe basis) _____

- iii. ___ Other (describe basis) _____

5. Nature of Dispute

- a. Describe the field of the claimed invention: _____

- b. Claims asserted: _____
- c. The parties anticipate requesting that the Court construe _____ claim terms.
- d. Describe the allegedly infringing activity or product: _____

- e. Describe any potentially non-infringing alternative designs : _____

- f. The parties have/have not stipulated that the above-described designs do not infringe the patents in issue.

6. Discovery

- a. If the parties anticipate needing to propound interrogatories and/or take depositions in excess of the number provided in the Federal Rules of Civil Procedure, set forth the proposed limit and basis for the request: _____

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- b. The parties have/have not agreed to an electronic discovery plan. Absent agreement by the parties, the default standard for e-discovery set forth in Appendix K to the Local Rules applies.
- c. The parties anticipate the following discovery issues: _____

7. **Protective Order**

- a. The parties have/have not agreed to the form Patent Protective Order set forth in Appendix C to the Local Patent Rules.
- b. The parties do/do not plan to submit an alternative proposed protective order for adoption by the Court.
- c. Identify any issues the Court should be aware of with respect to the confidentiality concerns of the parties: _____

8. **Claim Construction Hearing.** The parties propose the following format for the Claim Construction Hearing:

- a. Order of presentation: _____
- b. Anticipated number of witnesses: _____
- c. Anticipated length of hearing: _____

9. The parties have/have not consented, pursuant to Fed. R.Civ. P. 5(b)(2)(E), to the electronic exchange of pleadings, notices, discovery, and other mandated disclosures not otherwise served electronically via the Court's electronic filing system.

10. The parties have/have not discussed settlement and the appropriateness of Alternative Dispute Resolution.

Dated: _____, 20____

Respectfully submitted,

Attorney for Plaintiff(s)

Attorney for Defendant(s)