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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

THE BROAD INSTITUTE, INC., MASSACHUSETTS INSTITUTE
OF TECHNOLOGY, and PRESIDENT AND FELLOWS
OF HARVARD COLLEGE,
(Patents 8,697,359; 8,771,945; 8,795,965; 8,865,406; 8,871,445; 8,889,356;
8,895,308; 8,906,616; 8,932,814; 8,945,839; 8,993,233; 8,999,641;
and Application 14/704,551),

Junior Party,

v.

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, UNIVERSITY
OF VIENNA, AND EMMANUELLE CHARPENTIER
(Application 13/842,859),

Senior Party.

Patent Interference No. 106,048 (DK)

ORDER – Authorizing Motions and Setting Times

37 C.F.R. § 121

Before RICHARD E. SCHAFER, SALLY GARDNER LANE, and
DEBORAH KATZ, *Administrative Patent Judges*.

Per curiam.

1 A conference call was held on 10 March 2016 at approximately 1:00 p.m. to
2 discuss the parties' proposed motions. Steven Trybus, Harry Roper, Paul
3 Margolis, Danny Huntington, Jill Browning, Elizabeth Spar, Timothy Murphy, and
4 Lawrence Green represented Junior Party Broad Institute, Inc., Massachusetts
5 Institute of Technology, and President and Fellows of Harvard College ("Broad").
6 Todd Walters, Brian Fairchild, Erin Dunston, and Travis Bill represented Senior
7 Party the Regents of the University of California, University of Vienna, and
8 Emmanuelle Charpentier ("UC"). Administrative Patent Judges Richard Schafer,
9 Sally Lane, and Deborah Katz were present for the Board. A court reported
10 transcribed the conference. (*See* Transcript, Paper 31.)

11 As required by the Declaration (Paper 1 at 2), the parties filed notices of the
12 basis upon which they will request relief during the interference. *See* 37 C.F.R.
13 § 204(b). Specifically, Broad filed Paper 26 and UC filed Paper 27.

14 Several of the motions suggested by the parties relate to matters that will
15 impact the priority contest, such as whether an interference exists between the
16 parties' claims, the earliest benefit date that should be accorded to the parties, the
17 claims that properly correspond to the count, etc. Though these matters were given
18 preliminary consideration in declaring the interference, the Notice of Declaration is
19 not the result of a complete review of the file histories and prosecution of the
20 involved files by the Board. The Board does not reexamine the patents and
21 applications the examiner believes interfere. Because the Notice of Declaration
22 reflects a preliminary determination, substantive motions may be authorized to
23 change the original status quo of the interference. Substantive motions may also
24 be filed attacking the patentability of an opponent's involved claims. All motions
25 however, must be authorized before filing. 37 C.F.R. § 41.121(a). Pre-

1 authorization furthers the Director’s goal “to secure the just, speedy, and
2 inexpensive resolution of every proceeding before the Board.” 37 C.F.R.
3 § 41.1(b). Pre-authorization is also consistent with the Board’s discretion to reach
4 patentability issues: “The [Patent Trial and Appeal Board] shall determine priority
5 and may determine questions of patentability. 35 U.S.C. § 135(a) (2009).
6 Although patentability issues may be resolved, the Board need not authorize
7 patentability motions that do not impact the determination of priority. In other
8 words, an interference is not a substitute for *ex parte* reexamination or other PTO
9 patentability proceedings.

10 Certain issues have been characterized in the rules as “threshold issues.” 37
11 C.F.R. § 41.201. Threshold issues are specifically defined: “Threshold issue
12 means an issue that, if resolved in favor of the movant, would deprive the opponent
13 of standing in the interference.” *Id.* The rules provide three situations that may
14 deprive an opponent of “standing.”

15 The first is no interference-in-fact. A holding of no interference in-fact
16 means that none of a party’s claims meet the “two-way” test for the existence of an
17 interference under 37 C.F.R. § 41.203(a). Under such circumstances, no one has
18 standing to proceed because the parties are not claiming interfering subject matter.

19 The second and third examples relate to claims added to an opponent’s
20 application after the “movant’s” application was published or its patent issued. If
21 the interfering claims were added, e.g., copied, more than a year after the
22 publication or patenting, subject to certain exceptions, 35 U.S.C. § 135(b)(1) and
23 (2) precludes the copier from having the interfering claim in its application. Thus
24 the copier is precluded by the statute from standing to participate in an
25 interference.

1 Another example relates to claims the opponent added, e.g. copied, seeking
2 an interference, where those claims lacked written description support. Under
3 these circumstances, a holding that none of the opponent’s added claims have
4 written descriptive support deprives the opponent of standing because the
5 opponent’s original written description does not demonstrate possession of the
6 subject matter added to provoke an interference. It would be unfair to allow such
7 unsupported claims to form the basis for an attack on the movant’s claimed subject
8 matter.

9 Patentability over the prior art is not now, and never has been, a “threshold
10 issue.” A completion of examination and the determination by an examiner that
11 the claims are patentable to every potential party is ordinarily a prerequisite to an
12 examiner suggesting that an interference be declared. However, a holding during
13 the course of interference that a party’s claims are unpatentable over prior art does
14 not deprive that party of standing on the central issue of an interference—priority.
15 A party whose claims have been held unpatentable may still have a basis to show
16 the opponent is not entitled to a patent because the opponent was not the first to
17 invent the interfering subject matter. If that party establishes it was the first to
18 invent the subject matter, the opponent is barred from obtaining a patent by 35
19 U.S.C. § 102(g).

20

21 *I. Broad’s Proposed Motions*

22 Proposed Motions 2-13¹: Broad requests authorization to file a motion or
23 motions arguing that there is no interference-in-fact between UC’s involved claims
24 and its involved claims. (*See* Paper 26, at 1:8-2:13.)

¹ Because Broad previously filed Miscellaneous Motion 1 (Paper 25), the

1 Authorization for this motion is GRANTED. Broad may file one motion,
2 entitled “BROAD et al. SUBSTANTIVE MOTION 2” to argue that the parties’
3 claims do not interfere.

4
5 Proposed Motions 14-46: Broad requests authorization to file motions
6 arguing that it should be accorded the benefit of priority in regard to Count 1 for
7 prior provisional and non-provisional applications. (See Paper 26, at 2:15-4:17.)

8 We note that Broad lists the applications that became its 12 involved patents.
9 (See Broad List, Paper 26, at 3:14, 3:33 and 3:21-4:7, applications B17, B20, B24-
10 B46.) Benefit to these applications has already been accorded to Broad based on
11 the involvement of the patents that issued from these applications. Therefore,
12 Broad’s argument need not refer to them.

13 Broad also lists 16 provisional applications. A constructive reduction to
14 practice is “a described and enabled anticipation under 35 U.S.C. § 102(g)(1) in a
15 patent application of the subject matter of a count.” 37 C.F.R. § 41.201 (definition
16 of “[c]onstructive reduction to practice.”) Accordingly, each provisional
17 application for which benefit is sought must be shown to describe and enable an
18 anticipation of the count subject matter. Benefit will be accorded to only one
19 provisional application.

20 Authorization for this motion is GRANTED. Broad may file one motion
21 entitled “BROAD et al. SUBSTANTIVE MOTION 3” to argue that benefit of the
22 filing date of one or more earlier applications should be accorded to Broad as a
23 construction reductions to practice of the subject matter of the count. Briefing is

numbering of its proposed motions begins at two. (See Broad List, Paper 26, at
1:4-5.)

1 limited to arguments regarding no more than **four** provisional applications. This
2 motion must include a chart for each application argued to be a constructive
3 reduction to practice, with two columns: (1) a column reciting the elements of the
4 count and (2) a column providing only citations to the asserted disclosure in the
5 specification of the earlier application. The chart shall not include any argument or
6 information beyond the count elements and citations.

7
8 Proposed Motion 47: Broad requests authorization for a motion to argue
9 that UC's claims are unpatentable under 35 U.S.C. § 112, first paragraph, for lack
10 of written description. (*See* Paper 26, at 4:21-6:23.)

11 Authorization for this motion is GRANTED. Broad may file one motion
12 entitled "BROAD et al. SUBSTANTIVE MOTION 4." This motion appears to
13 address a threshold issue. That is, if the motion is granted, judgment may be
14 entered against UC because it might lack standing in the interference. *See* 37
15 C.F.R. § 41.201 (definition of threshold issue, wherein a threshold issue may be
16 "[i]n the case of an involved application claim first made after . . . issuance of the
17 movant's patent . . .") UC's involved claims were first filed after the issuance of
18 a patent to Broad in order to suggest the interference (*see* Application 13/842,859,
19 Suggestion for Interference Pursuant to 37 C.F.R. § 41.202, filed 13 April 2015 (p.
20 1: "Applicants respectfully request that an interference be declared involving
21 Claims 165-247 of U.S. Patent Application No. 13/842,859 . . ., which are
22 concurrently filed herewith in an Amendment and Reply.")). Though counsel for
23 UC argued that this motion is not threshold because UC may request authorization
24 to file a responsive motion to amend its claims, the issue of standing does not turn
25 on the possibility of filing a responsive motion. For example, the grant of a motion

1 for lack of written description and the denial of the opponent's responsive motion
2 to add a supported claim would still result in a judgment for lack of standing. The
3 responsive motion could be denied because the proposed claim was also not
4 supported or was otherwise not shown to be patentable.

5
6 Proposed Motion 48: Broad requests authorization for a motion to argue that
7 UC's claims are unpatentable under 35 U.S.C. § 112, first paragraph, for lack of an
8 enabling description for the full scope of the claimed subject matter. (*See Paper*
9 *26, at 7:1-8:2.*) Consideration of whether this motion will be authorized is
10 DEFERRED. While this proposed motion would address the patentability of UC's
11 claims, it does not appear to impact the priority contest. Priority is determined
12 based upon the count or counts. A "count," as distinguished from a party's
13 "claim," need not be patentable to either party in the sense of being fully supported
14 by either party's disclosure. *Squires v. Corbett*, 560 F.2d 424, 433 (CCPA 1977).
15 Additionally, priority proofs need not establish invention of the full scope of the
16 claimed subject matter. Proof of a sole embodiment meeting all the limitations of
17 the count is sufficient. Therefore, whether or not the UC disclosure enables the
18 full scope of its claims, is not necessarily informative of whether UC can provide
19 proof of invention of an embodiment within the scope of the count.

20
21 Proposed Motions 49-50: Broad requests authorization to file motions to
22 argue that UC's claims are unpatentable over certain prior art. (*Paper 26, at 8:3-*
23 *9:3 and 9:4-10:11.*) Consideration of whether the motions will be authorized is
24 DEFERRED. Broad indicates that the references cited are prior art to the UC

1 application under 35 U.S.C. § 102(a) or (e). It is not apparent how the patentability
2 over the prior art would impact the priority determination.

3
4 Proposed Motions 51-56: Broad argues that certain of its claims should not
5 have been designated as corresponding to Count 1 because they are not anticipated
6 or rendered obvious by Count 1. (*See* Paper 26, at 10:13-12:9.)

7 Authorization for this motion is GRANTED. Broad may file one motion
8 entitled “BROAD et al. SUBSTANTIVE MOTION 5” to argue that certain claims
9 do not correspond to the count.

10
11 Proposed Miscellaneous Motion 57: Broad makes several requests
12 regarding currently pending, but uninvolved applications. First, Broad requests
13 that it be “allow[ed]” access to the prosecution histories of UC’s pending,
14 unpublished applications reportedly related to UC’s currently involved application.
15 (Paper 27, at 12:12-19.)

16 This request is DENIED as Broad has not provided sufficient reason why we
17 should order UC to provide Broad access to the file history of an application that is
18 not involved in the interference.

19 However, we GRANT Broad’s second request, which is that UC keep Broad
20 and the Board apprised on the issuance of any notice of allowance for any claim in
21 applications 14/942,782, 14/685,516, 14/685,514, 14/685,513, 14/685,504, and
22 14/685,502. If appropriate, Broad may renew its request for access if and when
23 allowable subject matter is indicated.

24 It is ORDERED that **both parties** provide updated notices of related
25 proceedings when a notice of allowance is issued or other relevant action,

1 including that an application has become publically available, occurs in any
2 involved or related application or patent. The parties are also required to provide
3 notice of any other proceeding relevant to the patents, applications, or parties in the
4 interference.

5 Third, Broad requests that UC be required to advise the examiner in these
6 and any other UC related applications of the existence of the interference. This
7 request is GRANTED.

8 It is ORDERED that **both parties** advise the examiner of other related
9 applications of the interference. We note that the examiner of the currently
10 involved application has notice of the interference already.

11

12 Proposed Priority Motion 58: Consideration of whether Broad's proposed
13 motion for judgment based on priority (*see* Paper 26, at 13:2) will be authorized is
14 DEFERRED to the priority phase of the interference, if one is necessary.

15

16 *II. UC's Proposed Motions*

17 Proposed Motion 1: UC requests a motion to argue that all of Broad's
18 involved claims are unpatentable over the publication of UC's involved '859
19 application, which is allegedly prior art to Broad's involved claims. (Paper 27, at
20 1:6-6:20.) UC indicates that it would argue Broad's claims are subject to the AIA
21 prior art provisions and, thus, Broad cannot assert an earlier date of invention to
22 overcome the date of UC's disclosures.

23 Consideration of whether this motion will be authorized is DEFERRED.

24 Though UC characterized this motion as threshold, it relates only to whether
25 Broad's claims are unpatentable over the prior art, not whether Broad has standing

1 in the interference. Whether Broad's claims are unpatentable over prior art is not
2 dispositive of issues of priority. The interference may proceed to determine if UC
3 was not the first to invent the common subject matter under 35 U.S.C. § 102(g)
4 even if Broad's claims were held not to be patentable. Because UC suggested the
5 interference it chose to challenge Broad's claims in a priority contest instead of
6 through another procedure. UC has not provided a sufficient reason why its prior
7 art challenge to Broad's claims should preempt the priority contest.

8
9 Proposed Motions 2-6: UC requests authorization for five motions to
10 substitute Count 1 with proposed counts. (Paper 27, at 7:2-15:2.) UC requests that
11 consideration of Proposed Motions 3-6 be contingent on the denial of other
12 proposed motions. UC's requests amount to serial attempts to change the count.

13 Authorization for this motion is GRANTED to the extent indicated below.
14 In the interest of a just, speedy, and inexpensive resolution of the interference, *see*
15 37 C.F.R. § 41.1(b), UC may file **one** motion proposing that Count 1 be substituted
16 with one count that UC will argue best describes the interfering subject matter and
17 sets the scope of admissible proofs in a way that is just to both parties. UC may
18 alternatively propose two counts if both are necessary to describe the interfering
19 subject matter of two separately patentable inventions. UC may not propose two
20 counts that are alternate to each other. The motion shall be entitled "UC et al.
21 SUBSTANTIVE MOTION 1."

22
23 Proposed Motion 7: UC requests authorization to file a motion arguing that
24 it should be accorded the benefit of priority of the filing date of its provisional

1 applications as a constructive reduction to practice of Count 1 or of Proposed
2 Counts 2-5. (Paper 27, at 15:4-16.)

3 Authorization for this motion is GRANTED. The motion shall be filed as
4 one paper, entitled “UC et al. SUBSTANTIVE MOTION 2.” This motion must
5 include a chart for each application argued to be a constructive reduction to
6 practice, with two columns: (1) a column reciting the elements of the count and (2)
7 a column providing citations to the asserted disclosure in the specification of the
8 earlier application. The chart shall not include any argument or other information
9 beyond the count elements and citations.

10

11 Proposed Motion 8: UC requests authorization to file a motion arguing that
12 Broad’s involved claims are anticipated by the publication of UC’s involved
13 application and/or is rendered obvious by the publication in combination with other
14 prior art. (Paper 27, at 15:18-19:16.)

15 Consideration of whether this motion will be authorized is DEFERRED.
16 Whether Broad’s claims are unpatentable over prior art is not determinative of
17 issues of priority and the interference may proceed even if Broad’s claims are not
18 patentable.

19

20 Proposed Motion 9: UC requests authorization to file a motion arguing that
21 each of Broad’s patents are unpatentable under the doctrine of obviousness-type
22 double-patenting. (Paper 27, at 19:17-25:7.) UC would argue that the terminal
23 disclaimers filed by Broad to overcome rejections under the doctrine of
24 obviousness-type double-patenting are ineffective because not all of the patents are
25 commonly owned.

1 Consideration of whether this motion will be authorized is DEFERRED. It
2 is not apparent that the double patenting issue will impact the priority
3 determination and the interference may proceed even if Broad's claims were held
4 not to be patentable.

5

6 Proposed Motion 10: UC requests authorization for a motion to argue that
7 each of Broad's involved patents are unpatentable for lack of proper inventorship.
8 (Paper 27, at 25:8-30:7.)

9 Consideration of whether this motion will be authorized is DEFERRED.
10 The issues that UC indicates it will argue may overlap with the issues of priority.
11 Thus, the most just, speedy, and inexpensive resolution of this interference would
12 be to address these issues along with priority, if at all.

13

14 Proposed Motion 11: UC requests authorization to file a motion arguing that
15 Broad's patents were obtained through inequitable conduct with respect to the
16 filing of certain declarations under 37 C.F.R. §§ 1.131 and 1.132. (Paper 27, at
17 30:8-31:12.) UC asserts that Broad's inventors never had or made use of
18 tracrRNA –said to be an essential element of the claimed subject matter – in any of
19 the submitted experimental data and results. (Paper 27 at 31:3-5.) Whether or not
20 tracrRNA is an essential element of the interfering subject matter will likely be
21 apparent from the priority proofs. Authorizing the requested motion at this time is
22 premature. Authorization for UC's proposed motion is DENIED. UC may request
23 authorization to file its motion after the conclusion of the priority phase of the
24 interference.

1 During the conference call, Broad asked that UC be required to file a
2 substitute list of proposed motions, deleting the request for this motion because the
3 request is inappropriate. No change to Senior Party List of Proposed Motions
4 (Paper 27) is ordered. Although there is not sufficient basis for the proposed
5 motion at this time, no determination of the facts, or lack thereof, that would
6 support the proposed motion has been made.

7
8 Miscellaneous Issues:

9 UC requested guidance on Broad application 14/704,551, which reportedly
10 was included in UC's suggestion for interference and reportedly has been allowed
11 by the examiner. (*See* Paper 27, at 31:18-32:8.) This application has been added
12 to the interference. (*See* Redeclaration, Paper 32.) The parties are authorized to
13 address application 14/704,551 in the briefing for the following motions:

14 Broad Substantive Motion 2, arguing that there is no interference-in-fact;
15 Broad Substantive Motion 5, arguing that certain claims do not correspond
16 to the count; and

17 UC Substantive Motion 1, arguing for substitution of the count.

18 *III. Other Matters*

19 The requirement for statements of material facts is not waived in this
20 interference. *See* 37 C.F.R. § 41.121(d). Such statements are included in the page
21 limits set for each brief. *See, e.g.*, SO ¶ 121.2.

22 Where required or otherwise helpful to presenting a party's case, claim
23 charts may be included in the briefs. Claim charts do not count towards the page
24 limits.

1 In regard to both statements of material facts and claim charts, the parties are
2 reminded that neither are a substitute for the appropriate argument and explanation
3 in a paper. *See, e.g.*, 37 C.F.R. § 41.121(e).

4 The parties have both asked that the page limits for their motions be
5 extended. At this time, the page limits provided in the Standing Order are not
6 changed. The parties are encouraged to organize their briefs so that arguments
7 common to multiple applications or patents be discussed together. If in preparing
8 their briefs, the parties have difficulty abiding by these limits for a specific reason,
9 they may arrange a conference call to request additional pages. The parties are
10 encouraged to communicate with each other and to come to mutually agreeable,
11 reasonable request when requesting additional pages so that the page limits can be
12 adjusted equally for both.

13 The parties have also requested an extended schedule for briefing in the first
14 phase of the interference. The schedule will adhere to a normal interference
15 schedule at this time. *See* SO, Appendix of Forms, Form 2. As with extensions of
16 page limits, if, after stipulating to changes in Time Periods 1-6 (*see* Section VI.A,
17 below), the parties find that they require extra time for a specific reason, they may
18 request a conference call to seek an extension.

19 *IV. Schedule*

20 **A. Time Periods Associated with Motions**

21 The TIME PERIODS described below are set out in an Appendix to this
22 ORDER. Action specified for each TIME PERIOD must be completed by the date
23 specified for the TIME PERIOD.

24 The parties are authorized to stipulate different times (earlier or later, but not
25 later than TIME PERIOD 7) for TIME PERIODS 1 through 6. A notice of the

1 stipulation must be promptly filed. The notice must be in the form of a copy of the
2 Appendix attached to this ORDER with old dates crossed out and new dates
3 inserted by hand. The parties may not stipulate an extension of TIME PERIOD 7
4 or the default date for oral argument. In stipulating different times, the parties
5 should consider the effect of the stipulation on times: (1) to object to evidence (5
6 business days, Bd.R. 155(b)(1)), (2) to supplement evidence (10 business days,
7 Bd.R. 155(b)(2)), (3) to begin cross examination (no earlier than 21 days after
8 service, SO ¶ 157.3.1) and (4) to conclude cross examination (at least 10 days
9 before the opposition or reply is due, SO ¶ 157.3.2).

10 The parties should note that exhibits are no longer filed at the end of the
11 schedule, but should be filed when served on the other party. An exhibit, including
12 an affidavit, cited in connection with a motion, opposition, reply, or affidavit, must
13 be served and filed with the motion, opposition, reply or affidavit in which the
14 exhibit is first mentioned. Exhibits should not be filed more than once. Parties
15 should also note that a single pdf file size greater than 25 MB will need to be
16 divided into smaller pdf files.

17 Transcripts of cross examinations and depositions taken under 35 U.S.C.
18 § 24 must be served and filed when the other exhibits in connection with a motion,
19 opposition, or reply are filed.

20 TIME PERIOD 1

21 File all authorized motions.

22 If no party files a motion, the SENIOR PARTY must arrange a conference
23 call with the parties and the Board so that appropriate adjustments to the schedule
24 may be made.

1 TIME PERIOD 2

2 File any responsive motions (Bd.R. 121(a)(2)) in response to an opponent's
3 motion filed during TIME PERIOD 1.

4 TIME PERIOD 3

5 File oppositions to all motions, including responsive motions.

6 TIME PERIOD 4

7 File replies to all oppositions.

8 TIME PERIOD 5

- 9 a. File any request for oral argument on motions,
10 b. File motions to exclude evidence (Bd.R. 155(c); SO ¶ 155.2), and
11 c. File observations on cross examination (SO ¶ 157.7) of reply
12 testimony.

13 TIME PERIOD 6

- 14 a. File oppositions to an opponent's motion to exclude evidence and
15 b. File any response to observations.

16 TIME PERIOD 7

17 File replies to oppositions to motions to exclude evidence.

18 **B. Priority Statements**

- 19 1. At TIME PERIOD 1, file but do not serve a priority statement
20 (Bd.R. 120; Bd.R. 204(a)).
21 2. When filing the priority statement, the filer may use the
22 "Confidential" setting for the Public Access status.

1 3. A junior party who does not file a priority statement shall not have
2 access to the priority statement of any other party.

3 4. **One (1) business day** after TIME PERIOD 1, serve a copy of the
4 priority statement upon each opponent (except for a junior party
5 barred under D.3 above).

6 **C. Filing Exhibits**

7 A document larger than 25MB cannot be filed online. If a party needs to file
8 a document larger than 25MB, unless otherwise instructed by order, please contact
9 the board at the telephone number above to make other arrangements, such as
10 sending a CD-ROM by Express Mail.

11 **D. Default Oral Argument Date**

12 If a request for oral argument (Bd.R. 124(a); TIME PERIOD 5) is granted,
13 the default date for such argument is the date provided in the appendix below. No
14 oral argument will occur if either no argument is requested or granted.

cc (via e-mail):

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APPENDIX--ORDER - RULE 123(a)
(Times for substantive motions; priority deferred)

Interference 106,048

TIME PERIOD 1	22 April 2016
File motions	
File (but serve one business day later) priority statements	
TIME PERIOD 2	13 May 2016
File responsive motions to motions filed in TIME PERIOD 1	
TIME PERIOD 3	24 June 2016
File oppositions to all motions	
TIME PERIOD 4	5 August 2016
File all replies	
TIME PERIOD 5	16 September 2016
File request for oral argument	
File motions to exclude	
File observations	
TIME PERIOD 6	7 October 2016
File oppositions to motions to exclude	
File response to observations	
TIME PERIOD 7	21 October 2016
File replies to oppositions to motions to exclude	
DEFAULT ORAL ARGUMENT DATE	17 November 2016
Default oral argument date (if ordered)	