

# Patent Local Rules Comparison

Event	D. Mass. Local Patent Rules (eff. June 1, 2018)	E.D. Tex. Local Patent Rules (eff. May 24, 2016)	N.D. Cal. Local Patent Rules (eff. Jan. 17, 2017)
<b>Case Management Conference/ Initial Scheduling Conference</b>	Within 60 days after appearance of a defendant and within 90 days after the complaint has been served – Rule 16.1(a)	60 days after first defendant appears	90 days after the action was filed – Civil L.R. 16-2(a)
<b>Time to Trial</b>	24 months after the Initial Scheduling Conference (ISC) – Rule 16.6(c)(1)	Not specified	Not specified
<b>Infringement Contentions</b>	21 days <b>after</b> the ISC – Rule 16.6(d)(1)	10 days <b>before</b> the Initial Case Management Conference - P.R. 3-1	14 days <b>after</b> the Initial Case Management Conference - Patent L.R. 3-1
<b>Conference regarding Preliminary Patent Disclosures</b>	21 days after Infringement Contentions – Rule 16.6(d)(2)	Not specified	Not specified
<b>Invalidity and Noninfringement Contentions</b>	21 days after Conference regarding Preliminary Patent Disclosures – Rule 16.6(d)(4)	45 days after Infringement Contentions - P.R. 3-3	45 days after Infringement Contentions - Patent L.R. 3-3
<b>Exchange of Claim Terms Needing Construction</b>	21 days after Invalidity and Noninfringement Contentions – Rule 16.6(e)(1)	10 days after Invalidity Contentions - P.R. 4-1(a)	14 days after Invalidity Contentions - Patent L.R. 4-1(a)
<b>Joint Claim Construction Statement</b>	14 days after exchange of terms – Rule 16.6(e)(1)	60 days after Initial Invalidity Contentions - P.R. 4.3	60 days after Invalidity Contentions - Patent L.R. 4-3
<b>Limit on Terms?</b>	10, except for good cause – Rule 16.6(e)(1)	Not limited	Maximum of 10 - Patent L.R. 4-3(c)
<b>Opening Claim Construction Briefs</b>	21 days after Joint Claim Construction Statement – Rule 16.6(e)(2) (simultaneous exchange)	45 days after the Joint Claim Construction Statement - P.R. 4.5(a)	45 days after the Joint Claim Construction Statement – Patent L.R. 4-5(a)
<b>Responsive Claim Construction Briefs</b>	42 days after Opening Briefs – Rule 16.6(e)(4) (simultaneous exchange)	14 days after Opening Briefs - P.R. 4.5(b)	14 days after Opening Briefs - Patent L.R. 4-5(b)

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<b>Reply Claim Construction Briefs</b>	Not specified	7 days after Responsive Briefs - P.R. 4.5(c)	7 days after Responsive Briefs- Patent L.R. 4-5(c)
<b>Claim Construction Hearing</b>	9 months after ISC – Rule 16.6(c)(2)	2 weeks after Reply CC Briefs - P.R. 4.6 (approx. 6.2 months after CMC)	2 weeks after Reply CC Briefs- Patent L.R. 4-6 (about 6.6 months after CMC)
<b>Claim Construction Ruling</b>	Not specified	Not specified	Not specified
<b>Close of Fact Discovery</b>	15 months after ISC, or 60 days after CC Ruling, whichever is later – Rule 16.6(c)(4)	Case-by-case basis	Case-by-case basis
<b>Close of Expert Discovery</b>	18 months after ISC, or 90 days after CC Ruling, whichever is later – Rule 16.6(c)(5)	Case-by-case basis	Case-by-case basis
<b>Opinion of Counsel</b>	28 days after CC Ruling	Case-by-case basis	30 days after CC Ruling