

E-Filed 7/6/10

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

UPEK, INC., a Delaware corporation,
Plaintiff,

v.

AUTHENTEC, INC., a Delaware corporation,
Defendant.

Case No. 10-424-JF (PVT)

AMENDED SCHEDULING ORDER¹
RE CLAIM CONSTRUCTION

AUTHENTEC, INC., a Delaware corporation,
Counterclaimant,

v.

UPEK, INC., a Delaware Corporation,
Counterdefendant.

Pursuant to the parties' stipulation and pending further order of the Court, discovery is limited to matters relevant to claim construction, including infringement contentions. The scheduling order previously entered by the Court is amended to read as follows:

¹ This disposition is not designated for publication in the official reports.

Event	Deadline
Initial Case Management Conference	Friday, May 28, 2010, 10:30 a.m.
Rule 26 Initial Disclosures	Friday, June 18, 2010
UPEK files Motion for Leave to Amend	Wednesday, June 30, 2010
Deadline for modified Patent L.R. 3-1 and 3-2 disclosures: <ol style="list-style-type: none"> <li data-bbox="203 514 730 577">1. Identify which claims are asserted against which products; <li data-bbox="203 609 714 703">2. Create one chart for one asserted independent claim against one product; <li data-bbox="203 735 787 829">3. Identify the claimed priority and invention dates for the asserted patent; and <li data-bbox="203 861 771 955">4. Produce the documents required by Patent L.R. 3-2 concurrently with the infringement disclosures 	Friday, July 2, 2010
AuthenTec files any opposition to UPEK's Motion for Leave to Amend	Thursday, July 8, 2010
UPEK files any Reply in support of its Motion for Leave to Amend	Thursday, July 15, 2010
Deadline for modified Patent L.R. 3-3 and 3-4 disclosures: <ol style="list-style-type: none"> <li data-bbox="203 1239 763 1333">1. Identify which prior art the party asserts against which claims and the basis for the assertion; <li data-bbox="203 1365 779 1428">2. Chart one dependent claim for each reference or combination thereof; and <li data-bbox="203 1459 771 1554">3. Produce the documents required by Patent L.R. 3-4 concurrently with the invalidity disclosures 	Tuesday, July 27, 2010
Exchange of proposed claim terms for construction pursuant to Patent L.R. 4-1	Tuesday, August 3, 2010
Exchange of preliminary claim construction and extrinsic evidence pursuant to Patent L.R. 4-2	Tuesday, August 17, 2010
Joint claim construction and prehearing statement pursuant to Patent L.R. 4-3	Thursday, August 26, 2010

1	Close of claim construction discovery pursuant to Patent L.R. 4-4	Wednesday, September 8, 2010
2		
3	Opening claim construction briefs pursuant to Patent L.R. 4-5(a)	Thursday, September 16, 2010
4	Responsive claim construction briefs pursuant to Patent L.R. 4-5(b)	Thursday, October 7, 2010
5		
6	Reply claim construction briefs pursuant to Patent L.R. 4-5(c)	Thursday, October 14, 2010
7	Case tutorial	October 28, 2010, 10:00 a.m.
8	Claim construction hearing pursuant to Patent L.R. 4-6	October 28, 2010, 10:00 a.m.
9	Further case management conference	October 28, 2010, 10:00 a.m.

10
11 IT IS SO ORDERED.

12 DATED: 7/6/10

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



 JEREMY FOCCE
 United States District Judge