

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF OHIO**

<b>BLACKLIDGE EMULSIONS, INC.</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Civil Action No. 2:12-cv-00406</b>
	)	
<b>v.</b>	)	<b>District Judge Watson</b>
	)	
<b>PHILLIPS OIL COMPANY OF CENTRAL OH., INC.,</b>	)	<b>Magistrate Judge Abel</b>
	)	
<b>Defendant.</b>	)	

**SUPPLEMENTAL SCHEDULING ORDER**

In addition to the deadlines set forth in the Court's July 23, 2012 Preliminary Pretrial Order,

IT IS FURTHER ORDERED that this action is placed under the Local Patent Rules of this Court for pretrial proceedings and all provisions of these Rules will be strictly enforced.

IT IS FURTHER ORDERED that counsel shall confer with their clients prior to all scheduling, status, or pretrial conferences to obtain authority to participate in settlement negotiations that may be conducted or ordered by the Court.

IT IS FURTHER ORDERED that compliance with provisions of Local Rule 16 and the Local Patent Rules shall be completed as follows:

- (1) The party claiming patent infringement shall produce or make available for inspection and copying the documents set forth in S. D. Ohio Pat. R. 103.1(b) by **August 3, 2012**; [*14 days after the Initial Scheduling Conference*; S. D. Ohio Pat. R. 103.1(b)]
- (2) The party claiming patent infringement must serve on all parties the Disclosure of Asserted Claims and Infringement Contentions described in S. D. Ohio Pat. R.103.2 by **August 20, 2012**; [*30 days after the Initial Scheduling Conference*; S. D. Ohio Pat. R. 103.2]
- (3) The party opposing a claim of patent infringement shall produce or make available for inspection and copying the documents set forth in S. D. Ohio Pat. R. 103.1(c) by **September 19, 2012**; [*30 days after the Disclosure of Asserted Claims and Infringement Contentions described in S. D. Ohio Pat. R.103.2* S. D. Ohio Pat. R. 103.3]
- (4) The party claiming invalidity must serve on all parties the Disclosure of Invalidity Contentions described in S. D. Ohio Pat. R. 103.4 by **October 4, 2012**; [45 days

after service of *Disclosure of Asserted Claims and Infringement Contentions*; S. D. Ohio Pat. R. 103.4]

- (5) Each party will simultaneously exchange the Proposed Claim Terms and Phrases for Construction described in S. D. Ohio Pat. R. 105.1 By **October 18, 2012**; [14 days after service of the *Invalidity Contentions*; S. D. Ohio Pat. R. 105.1]
- (6) Each party contending a claim term or phrase should be construed by the Court shall provide the parties with the proposed Preliminary Claim Construction of each such term or phrase described in S. D. Ohio Pat. R. 105.2(a) and supporting evidence by **November 8, 2012**; [21 days after the S. D. Ohio Pat. R. 105.1 exchange; S. D. Ohio Pat. R. 105.2(a)]
- (7) Each party disputing a proposed “Preliminary Claim Construction” shall provide all parties with their proposed constructions for the disputed term or phrase (“Responsive Claim Construction”) described in S. D. Ohio Pat. R. 105.2(b) and supporting evidence by **November 27, 2012**; [40 days after the S. D. Ohio Pat. R. 105.1 exchange S. D. Ohio Pat. R. 105.2(b)]
- (8) The parties shall meet and confer regarding claim construction issues as described in S. D. Ohio Pat. R. 105.2(c) by **December 17, 2012**; [60 days after the S. D. Ohio Pat. R. 105.1 exchange S. D. Ohio Pat. R. 105.2(c)]
- (9) The parties shall file a Joint Disputed Claim Terms Chart as described in S. D. Ohio Pat. R. 105.2(d) by **January 7, 2013**; [80 days after the S. D. Ohio Pat. R. 105.1 exchange; S. D. Ohio Pat. R. 105.2(d)].
- (10) The parties shall complete discovery related to Claim Construction as described in S. D. Ohio Pat. R. 105.3 by **March 8, 2013**; [60 days after the filing date of S. D. Ohio Pat. R. 105.2(d) *Joint Disputed Claim Terms Chart*; S. D. Ohio Pat. R. 105.3]
- (11) Each of the Parties shall file and serve an Opening Claim Construction Brief by **March 25, 2013**; [75 days after filing of the S. D. Ohio Pat. R. 105.2(d) *Joint Disputed Claim Terms Chart*; S. D. Ohio Pat. R. 105.4 (a)]
- (12) Each of the Parties may file and serve a response to the Opening Claims Construction Brief, and any objections to extrinsic evidence by **April 24, 2013**; [30 days after service of the opening claim construction brief. S. D. Ohio Pat. R. 105.4(b)]

s/Mark R. Abel  
United States Magistrate Judge