

Summary of Utah Patent Rules Deadlines and TimeFrames¹

Rule	Deadline/ Event	TimeFrame	Total Weeks ²
LPR 2.1	Accused Instrumentality Disclosures	7 days after defendant files its answer or other response to Plaintiff's complaint	1
LPR 2.2	Initial Disclosures	If no infringement counterclaim is filed: Plaintiff – 21 days after answer is filed Defendant – 28 days after its answer is filed If infringement counterclaim is filed: ³ Plaintiff – 21 days after filing answer to counterclaim Defendant – 28 days after plaintiff files its answer to counterclaim.	3 4
LPR 1.2	Initial Scheduling Conference	35 days after first answer or other response is filed	5 ³
	Submit Proposed Scheduling Order	7 days after parties' Initial Scheduling Conference	6
LPR 2.3	Initial Infringement Contentions	35 days after Defendant's Initial Disclosures	9
LPR 2.4	Initial Non-Infringement, Unenforceability and Invalidity Contentions	14 days after Initial Infringement Contentions	11
LPR 2.6	Disclosure Requirement in Patent Cases Initiated by Complaint for Declaratory Judgment [with no claim of infringement]	Unenforceability and Invalidity Contentions due 49 days after Defendant's Initial Disclosures	11
LPR 3.1	Final Infringement Contentions	21 weeks (147 days) after the due date for service of Initial Infringement Contentions	30
LPR 3.1	Final Unenforceability and Invalidity Contentions (if applicable)	14 days after the due date for Final Infringement Contentions	32
LPR 3.2	Final Non-infringement Contentions	28 days after service of the Final Infringement Contentions under LPR 3.1	34
LPR 3.5	Final Date to Seek Stay Pending Reexamination or other post-grant proceedings	28 days after service of the Final Non-infringement Contentions under LPR 3.2	34
LPR 4.1	Exchange of Proposed Claim Terms To Be Construed Along With Proposed Constructions	14 days after service of the Final Contentions under LPR 3.1 and 3.2	36
	Confer and agree upon no more than ten (10) terms or phrases to submit for construction by the court.	7 days after the exchange of Proposed Claim Terms	37
LPR 1.3(a)	Fact Discovery	Ends 28 days after the date for exchange of Proposed Claim Terms under LPR 4.1	40
LPR 4.2(a)	Cross-Motions for Claim Construction	35 days after the exchange of terms set forth in LPR 4.1	41
LPR 6.2	Deadline to file dispositive motions required to be filed with claim construction	35 days after the exchange of terms set forth in LPR 4.1	41
LPR 6.2	Deadline to file opposition to dispositive motions filed with claim construction	28 days after the movant files its dispositive motion	45
LPR 4.2(c)	Responsive Claim Construction Briefs	28 days after filing of Cross-Motions for Claim Construction	45
LPR 4.2(a) & 4.2(c)	Deposition of witness who provides declaration in support of claim construction.	If a party offers a sworn declaration of a witness to support its claim construction, the party must promptly make the witness available for deposition	

¹ This schedule is illustrative of timeframes under the Local Patent Rules for the District of Utah and does not modify rules or constitute a rule. Send corrections or comments to Louise_York@utd.uscourts.gov.

² Weeks are measured from filing of first answer or other response to Plaintiff's complaint.

³ If an infringement counterclaim is filed, all "Total Weeks" calculations hereafter are extended.

Rule	Deadline/ Event	TimeFrame	Total Weeks²
LPR 4.3	Motion for Claim Construction Hearing	Concurrent with the filing of the Responsive Claim Construction Brief, a party shall file a Motion to Set Claim Construction Hearing	45
LPR 4.2(f)	Joint Claim Construction Chart and Joint Status Report	7 days after filing of the Responsive Claim Construction Brief	46
LPR 6.2	Deadline to file reply in support of dispositive motions required to be filed with claim construction	14 days after opposition memorandum is filed	47
LPR 4.4	Tutorial (not required)	14 days after the filing of the Responsive Claim Construction Brief	47
LPR 4.3	Exchange Exhibits for Claim Construction Hearing	No later than 7 days before the claim construction hearing	
LPR 1.3(c)(1)	Disclosure Concerning Opinions of Counsel	7 days after claim construction ruling	PCC ⁴ 1
LPR 1.2	Post-Claim Construction deadline to file a proposed scheduling order governing the remaining pretrial obligations	No later than 14 days after entry of claim construction ruling	PCC 2
LPR 1.3(c)(2)	Discovery Concerning Opinions of Counsel	Not earlier than 7 days after claim constructions ruling.	
LPR 1.3(b)	Fact Discovery	No later than 14 days after entry of the claim construction ruling a party may move to reopen fact discovery.	PCC 2
LPR 5.1	Disclosure of Experts and Expert Reports	28 days after the claim construction ruling	PCC 3
LPR 5.1	Rebuttal Expert Reports	28 days after the date for initial expert reports	PCC 8
LPR 5.2	Depositions of Experts/Close of Expert Discovery	35 days after exchange of expert rebuttal reports	PCC 13
LPR 6.1	Final Day for Filing Dispositive Motions	28 days after the scheduled date for the end of expert discovery.	PCC 17

Rev. 4 October 22, 2013

⁴ PCC as used herein means Post Claim Construction.