

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

STANDING ORDER REGARDING)
CERTAIN CLAIM CONSTRUCTION)
PROCEDURES IN PATENT CASES)
BEFORE JUDGE NOREIKA)

STANDING ORDER

WHEREAS, in patent cases before the undersigned judge, the parties are required to file a joint claim construction chart that includes a copy of the patent(s) at issue as well as portions of the intrinsic evidence relied upon by the parties;

WHEREAS, in those cases, the parties also often file a joint appendix with the joint claim construction brief to include additional evidence cited in the parties' briefing; and

WHEREAS, the undersigned believes that certain efficiencies can be achieved by modifying the procedures relating to joint claim construction charts submitted by the parties.

THEREFORE, IT IS HEREBY ORDERED this 30th day of October 2019 that:

1. Intrinsic evidence (including copies of the patent(s) at issue) shall NOT be attached to the joint claim construction chart and, instead, the parties shall include a joint appendix with the joint claim construction brief, and the joint appendix shall include a copy of the patent(s) at issue and portions of all relevant intrinsic evidence that would have otherwise been included with the joint claim construction chart, as well as any additional evidence cited in the parties' briefing; and

2. All joint claim construction charts shall be in substantially the same form as the sample joint claim construction chart posted on Judge Noreika's website, available at <https://www.ded.uscourts.gov/sites/ded/files/chambers/Sample%20Joint%20Claim%20Chart.pdf>.

IT IS FURTHER ORDERED that these new procedures relating to joint claim construction charts shall apply in ALL PATENT CASES regardless of when the case was filed, and specifically including cases where the Court has already entered a Scheduling Order, except those cases in which the parties' joint claim construction brief has already been filed.



The Honorable Maryellen Noreika
United States District Judge