

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
GENERAL ORDER 15 - 0026**

The full Court met in executive session on Thursday, October 22, 2015 and approved a technical amendment to Local Patent Rule 1.7 Relationship to Federal Rules of Civil Procedure. The amendment will relocate the comment to LPR 2.2-2.5. This is a technical amendment and does not require publication for comment.

The Court's Rules Committee considered the rule on October 15, 2015. It recommended that the full Court adopt the proposed amendment to Local Patent Rule 1.7.

The full Court considered the recommendation of the Rules Committee at its meeting on October 22, 2015 and agreed to modify Local Patent Rule 1.7. Therefore,

By direction of the full Court, which met in executive session on Thursday, October 22, 2015,

IT IS HEREBY ORDERED that Local Patent Rule 1.7 Relationship to Federal Rules of Civil Procedure be amended as follows (additions shown thus, deletions shown ~~thus~~.)

LPR 1.7 Relationship to Federal Rules of Civil Procedure

A party may not object to mandatory disclosures under Federal Rule of Civil Procedure 26(a) or to a discovery request on the ground that it conflicts with or is premature under the LPR, except to the following categories of requests and disclosures:

- (a)** requests for a party's claim construction position;
- (b)** requests to the patent claimant for a comparison of the asserted claims and the accused apparatus, device, process, method, act, or other instrumentality;
- (c)** requests to an accused infringer for a comparison of the asserted claims and the prior art;
- (d)** requests to an accused infringer for its non-infringement contentions; and
- (e)** requests to the patent claimant for its contentions regarding the presence of claim elements in the prior art.

Federal Rule of Civil Procedure 26's requirements concerning supplementation of disclosure and discovery responses apply to all disclosures required under the LPR.

2. PATENT INITIAL DISCLOSURES

Comment

~~LPR 2.2—2.5 supplements the initial disclosures required by Federal Rule of Civil Procedure 26(a)(1). As stated in the comment to LPR 1.6, the purpose of these provisions is to require the parties to identify the likely issues in the case, to enable them to focus and narrow their discovery requests. To accomplish this purpose, the parties' disclosures must be meaningful—as opposed to boilerplate—and nonvasive. These provisions should be construed accordingly when applied to particular cases.~~

ENTER:
FOR THE COURT



Chief Judge

Dated at Chicago, Illinois this 30th day of October, 2015