District Local Rule Pat 4.1 (Patent)

EXCHANGE OF PROPOSED TERMS FOR CONSTRUCTION

a) Not later than 14 days after service of the “Invalidity Contentions” pursuant to Dist. Idaho Loc. Patent R. 3.3, not later than 42 days after service upon it of the “Disclosure of Asserted Claims and Infringement Contentions” in those actions where validity is not at issue (and Dist. Idaho Loc. Patent R. 3.3 does not apply), or, in all cases in which a party files a complaint or other pleading seeking a declaratory judgment not based on validity, not later than 14 days after the Defendant serves an answer that does not assert a claim for patent infringement (and Dist. Idaho Loc. Patent R. 3.1 does not apply), each party shall serve on each other party a list of claim terms which that party contends should be construed or found indefinite by the Court, and identify any claim term which that party contends should be governed by pre-AIA 35 U.S.C. § 112(6) or AIA 35 U.S.C. § 112(f).

b) The parties shall thereafter meet and confer for the purposes of limiting the terms in dispute by narrowing or resolving differences and facilitating the ultimate preparation of a Joint Claim Construction and Prehearing Statement. The parties shall also jointly identify the claim terms likely to be most significant to resolving the parties’ dispute, including those terms for which construction may be case or claim dispositive.