

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN AUTHENTICATION
SYSTEMS, INCLUDING SOFTWARE
AND HANDHELD ELECTRONIC
DEVICES**

Inv. No. 337-TA-697

**ORDER NO. 3: SETTING TARGET DATE AND DATE FOR SUBMISSION OF
PROPOSED PROCEDURAL SCHEDULES**

(February 12, 2010)

The notice of investigation was published on January 5, 2010. (75 Fed. Reg. 448.) All of the parties are in agreement that the target date should be set at fifteen (15) months from the date of institution.

Based on the parties' positions in their discovery statements, the ALJ is setting a target date of approximately fifteen months, *i.e.*, April 5, 2011. Hence, any final initial determination should be filed no later than December 3, 2010.


Proposed procedural schedule(s) should be received by the ALJ no later than close of business on Friday, February 26, 2010. Said proposed procedural schedule should include, at a minimum, dates for each of the events set forth in Ground Rule 2. Based on the target date for this investigation, and taking into consideration the ALJ's scheduling of other cases and courtroom availability, the ALJ anticipates the pre-hearing conference and tutorial, if necessary, to start at 10:00 AM on Wednesday, August 25, 2010, in Hearing Room B. The hearing shall commence at 9:00 AM on Monday, August 30, 2010, and shall conclude no later than Friday,

September 3, 2010. The parties shall take these dates into consideration when proposing their procedural schedule.

The proposed schedule should include dates for three settlement meetings at a time, date, and location of the parties' choosing for the exploration of settlement, by persons of requisite authority, of some or all of the issues in the case. Unless the parties obtain the permission of the ALJ, for good cause shown, the settlement meetings should **not** occur by video-conferencing or by teleconferencing. The first one of these dates should be relatively early in the investigation; the second should be approximately midway through the period for discovery; while the last should be set for the period between the close of discovery and before the commencement of the hearing. The parties should also include dates in the proposed schedule for filing the joint settlement conference reports. During the settlement conference, the parties shall also consider and discuss aspects of the case, if any, that they believe may be appropriate and/or ripe for mediation. Any such issues should be included in each settlement conference report and, based on the information provided therein, the parties may be contacted by the Commission for participation in its mediation program.

The parties should make intensive good faith efforts to agree to a procedural schedule. It is expected that in most instances the parties should be able to submit a joint proposal on this matter.

SO ORDERED.



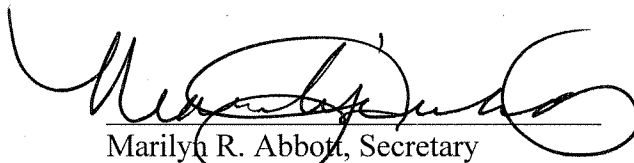
Theodore R. Essex
Administrative Law Judge

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PUBLIC CERTIFICATE OF SERVICE

I, Marilyn R. Abbott, hereby certify that the attached **ORDER** has been served by hand upon, the Commission Investigative Attorney, **Vu Q. Bui, Esq.** and the following parties as indicated on February 12, 2010.



Marilyn R. Abbott, Secretary
U.S. International Trade Commission
500 E Street, SW, Room 112A
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CERTIFICATE OF SERVICE - PAGE 2

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