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Thomas M. Gould, Clerk
U. S. District Court
W. D. OF TN, MemphisIN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEERE: PILOT PROGRAM for
PATENT CASESADMINISTRATIVE ORDER
NO. 2012-06

ORDER

The United States District Court for the Western District of Tennessee is one of fourteen federal district courts selected by the Director of the Administrative Office for the United States Courts to participate in the Pilot Program for Patent Cases, Pub. L. No. 111-349, 124 Stat. 3,674. Accordingly, it is hereby ORDERED that the following procedures shall apply to the assignment of patent cases newly filed, or transferred to this court on or after September 19, 2011:

1. The Designated Patent Judges for this district are Chief Judge Jon P. McCalla and Judge S. Hardy Mays, Jr.;
2. When a Patent Case is randomly assigned to a district judge who is not a Designated Patent Judge, that judge may decline the assignment by filing an Order Declining a Patent Case Assignment within 30 days of the initial assignment;
3. Upon entry of the Order Declining a Patent Case Assignment, the Clerk of Court shall process a reassignment of the case to a Designated Patent Judge who may elect to exchange a comparable case for the reassigned case;

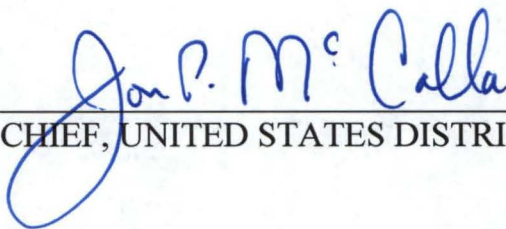
4. In the event a non-Designated Patent Judge elects to retain the assignment of a Patent Case and thereafter is unable to preside over the case for whatever reason, including recusal or disqualification, the case will be randomly reassigned to another non-Designated Patent Judge;

5. Magistrate Judges are not eligible to serve as Designated Patent Judges, however a Designated Patent Judge, in his discretion, and after consultation with the parties, may assign pre-trial management duties to the Magistrate Judge assigned as the referral judge. If the referral judge conducts pre-trial management of a Patent Case, the Designated Patent Judge will nevertheless decide all dispositive motions; and

6. The Chief Judge authorizes the Clerk of Court to monitor the assignment of Patent Cases throughout the pendency of 10-year pilot and implement a process for caseload equalization between Designated Patent Judges and the non-Designated Patent Judges.

DONE and ORDERED at Memphis, Tennessee on this 8 day of March, 2012.

FOR THE COURT:



CHIEF, UNITED STATES DISTRICT JUDGE