



Federal Court of Australia  
District Registry: New South Wales  
Division: General

No: NSD1292/2017

**ROKT PTE LTD**  
Appellant

**COMMISSIONER OF PATENTS**  
Respondent

### **ORDER**

**JUDGE:** JUSTICE ROBERTSON

**DATE OF ORDER:** 12 December 2017

**WHERE MADE:** Sydney

#### **BY CONSENT, THE COURT ORDERS THAT:**

1. The hearing listed on 5 and 6 February 2018 be vacated.
2. The Respondent file and serve any Notice of Contention on or before 9 February 2018.
3. The Respondent file and serve any evidence on which she intends to rely by 13 March 2018.
4. The Appellant file and serve any evidence in reply on or before 1 May 2018.
5. The parties arrange for all independent experts:
  - a. To confer in respect of the matters set out in their respective expert reports by no later than 12 June 2018, such conference to be without any other person being present (including any of the parties or legal representatives except, where necessary or appropriate, a Registrar of the Court or another facilitator); and
  - b. To prepare a joint report, setting out the issues in respect of which they agree, and the matters upon which they do not agree, in accordance with paragraphs 7.4 to 7.11 of the Expert Evidence Practice Note GPN-EXPT, such joint report to be filed by no later than 19 June 2018.
6. The expert evidence at trial proceed by way of concurrent evidence.
7. The Appellant file 2 copies, and serve 3 copies, of a Court Book containing the Notice of Appeal, documents filed by the Respondent pursuant to r 34.30 of the *Federal Court Rules 2011*, and the evidence filed by each party, by 26 June 2018.
8. The Appellant file and serve an outline of submissions, limited to 15 pages including any annexures, and a list of authorities by 26 June 2018.



9. The Respondent file and serve an outline of submissions, limited to 15 pages including any annexures, and a list of authorities by 3 July 2018.
10. The Appellant file and serve an outline of submissions in reply, limited to 5 pages including any annexures, by 10 July 2018.
11. The proceeding be listed for hearing for an estimate of 3 to 3.5 days commencing on 17 July 2018.
12. Liberty to apply on 3 days notice.

Date that entry is stamped: 12 December 2017

*Warrick Soden*  
Registrar