



*The Sedona Conference  
Commentary on Case Management of Patent  
Damages and Remedies Issues: Section on Patent Damages  
Hearings  
(May 2017 public comment version)*

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In late 2016, WG9 formed a drafting team to develop best practice recommendations for holding a damages-focused hearing relatively early in the case during which a number of damages issues can be addressed at one time rather than seriatim through separate motion practice at different stages of the case.

This Section provides guidance to the bench and bar for:

- determining when an early damages hearing may or may not be appropriate
- determining the optimal timing for holding a damages hearing (i.e., the pros and cons of holding it at the summary judgment stage, the *Daubert* motion stage, or the motions *in limine* stage)
- the mechanics of a damages hearing, in particular procedures designed to require the earlier disclosure of and allow possibly for the earlier resolution of damages issues, without unfairly prejudicing either party.

The full text of *The Sedona Conference Commentary on Case Management of Patent Damages and Remedies Issues: Section on Patent Damages Hearings*, May 2017 public comment version, is available free for individual download from The Sedona Conference website at

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