DOAR



ITC ALJ Spotlight:

Administrative Law Judge Cameron Elliot

Introduction

DOAR's latest analysis of Administrative Law Judge Cameron Elliot's activity at the International Trade Commission provides expanded insight into his case-management practices and procedural decision-making. Drawing on investigation-level data, the report examines procedural timelines, expert challenge decisions, 100-day proceeding requests, unfair act allegations, and initial and final determinations. It also considers ALJ Elliot's background, experience, and approach to managing investigations. These findings help inform expert selection, trial services, and strategic recommendations for clients involved in ITC proceedings.

DOAR reviewed 74 investigations assigned to ALJ Elliot since he joined the bench in 2019. Patent infringement was alleged in 69 of these investigations, with additional allegations involving trade secret misappropriation, trademark and trade dress infringement, false advertising, and unfair competition. The matters span consumer electronics, semiconductors, consumer goods, life sciences, and other technologies. The report also analyzes key procedural milestones, including expert disclosures, expert discovery cutoffs, Markman hearings, evidentiary hearings, initial determinations, and target dates. Developments in ALJ Elliot's Ground Rules, expert challenge decisions, and scheduling practices provide further insight into his expectations regarding expert qualifications, disclosures, methodology, hearing preparation, and case presentation.

ALJ Elliot has also incorporated the Commission's Nurturing Excellence in Trial (NEXT) Advocates Program into his Ground Rules, including provisions intended to encourage substantive participation by less-experienced attorneys. DOAR is proud to support the NEXT Advocates Program and the continued development of the ITC bar.

DOAR remains committed to delivering data-driven analysis of the ITC and its ALJs to ensure our clients receive the most qualified and effective support possible. We look forward to continuing this series with future reports on developments at the Commission and additional ALJ profiles. As always, our team is available to assist with expert selection, trial services, and strategy for ITC proceedings.

Best regards,



Jeffrey Dorfman, Esq.

Managing Director, ITC Practice

Administrative Law Judge Cameron Elliot

BACKGROUND



Appointed: April 2019

Education:

- J.D., Harvard Law School, 1996
- B.S., Magna Cum Laude, Physics and Applied Physics, Yale College, 1987

Education:

- Engineering Officer, Naval Nuclear Propulsion Program, United States Navy, 1986
  - Active Duty, 1992
  - Navy Reserve, 1993

Legal Experience:

U.S. International Trade Commission (2019 - Present)

- Administrative Law Judge

U.S. Securities and Exchange Commission (2011 - 2019)

- Administrative Law Judge

Darby & Darby P.C. (2006 - 2008)

- Attorney

U.S. Department of Justice (1998 - 2006)

- Assistant U.S. Attorney (2001 - 2006) Southern District of Florida (Miami) Eastern
- District of New York (Brooklyn)
- Attorney (1998 - 2001) Civil Division (Washington, D.C.)

U.S. District Court of Nevada (1996 - 1998)

- Judicial Law Clerk for U.S. District Judge Edward Reed

Attorney Advisor:

- Mary Jane (MJ) Boswell, Attorney Advisor for the International Trade Commission (2019 - Present) Private Practice: Morgan, Lewis, & Bockius LLP

ALJ Elliot at a Glance

INVESTIGATIONS OVERVIEW

Assignments

Total Assignments: **74**

Assigned in 2026 through Q3: **9**

1520 | 1516 | 1511 | 1510 | 1508 | 1503 | 1500* | 1494 | 1492

*Inv. 1500 was reassigned to CALJ Cheney from ALJ Elliot

100 Day Review

DOAR identified 13 investigations assigned to ALJ Elliot in which the Commission considered requests for expedited adjudication under the 100-Day Pilot Program.

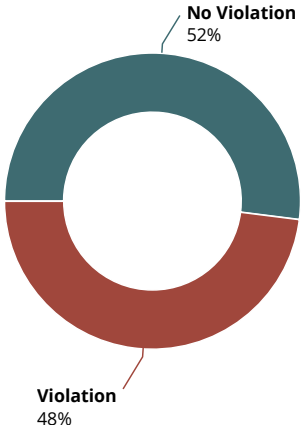
Inv. #	Reason	Granted
1132	**Preclusion: Prior Agreement**	**Yes**
1153	Domestic Industry	No
1200	Validity	No
1246	**Preclusion: Prior Litigation**	**Yes**
1266	Domestic Industry	No
1275	Validity and Domestic Industry	No
1315	Domestic Industry	No
1332	Domestic Industry	No
1340	Validity and Domestic Industry	No
1383	Domestic Industry	No
1389	Validity	No
1477	Validity	No
1508	Infringement	No

Only two of the 13 requests were granted, both involving threshold preclusion issues. All requests involving domestic industry, validity, or infringement were denied. The denials largely reflected concerns that the proposed issues were too complex, not dispositive, or unsuitable for resolution within 100 days. The record suggests the process was reserved for discrete threshold issues requiring limited factual or technical development.

Initial and Final Determinations

DOAR analyzed ALJ Elliot's initial determinations and the Commission's final dispositions to identify outcome trends. Among 29 substantive determinations, no-violation outcomes slightly outnumbered violation outcomes, 15 to 14. In the two investigations highlighted below, settlement during Commission review resulted in termination without a final merits determination.

ALJ Elliot's Initial Determinations



NOTE: Investigation Nos. 1432 and 1439 had received substantive initial determinations from ALJ Elliot but had not received final Commission determinations as of the data cutoff. Additionally, there are 10 investigations that are still ongoing with no initial determinations.

Commission's Final Determinations

The Commission generally preserved ALJ Elliot's ultimate violation or no-violation outcomes. In two investigations, however, the parties settled after ALJ Elliot issued a substantive initial determination but before the Commission completed its merits review. The Commission therefore terminated both investigations without issuing a final determination on all reviewed issues.

Inv.	ALJ's Initial Determination	Commission Disposition
1350	The ALJ **found no violation** as to all three asserted patents. Each of the asserted claims were found either invalid or not infringed, and the economic prong of the domestic industry requirement was not satisfied.	The Commission reviewed the determination in part, but the parties settled before review was completed. The Commission terminated the investigation in its entirety, while allowing the unreviewed findings to remain final.
1380	The ALJ **found a violation** as to the '818, '321, '714, and '267 patents and no violation as to the '991 patent.	The Commission determined to review the initial determination in its entirety, but the parties subsequently settled. The investigation was terminated without a substantive Commission determination on the merits.

Key Events

EXPERT TIMEFRAME ANALYSIS

DOAR analyzed the scheduled timing for expert witness identification and the close of expert discovery across ALJ Elliot's investigations to assess the pace, consistency, and variability of his procedural schedules. Among the 67 investigations with available deadlines, more than three-quarters set expert identification between 90 and 150 days after receipt of the initiating document. The average was 126 days and the median was 122 days, placing the typical deadline approximately four months into the schedule.

Deadline to File Identification of Expert Witnesses

Average:	**126 Days (4.1 Months)**	Shortest:	**84 Days (2.8 Months)**
Median:	**122 Days (4.0 Months)**	Longest:	**242 Days (8.0 Months)**

The ten shortest expert identification deadlines ranged from 84 to 98 days, or approximately 2.8 to 3.2 months. These investigations spanned consumer electronics, consumer goods, digital streaming, life sciences, and semiconductor technologies, showing that shorter schedules were not limited to one subject area.

At the upper end, only two deadlines exceeded 180 days: 242 days in Inv. No. 337-TA-1140, involving automotive fuel vapor canister systems, and 199 days in Inv. No. 337-TA-1370, involving power converter modules. All remaining deadlines were 168 days or fewer. Overall, the data reflects a relatively consistent schedule in most investigations, with a small number of notably longer deadlines.

Cutoff For Expert Discovery

Average:	**256 Days (8.4 Months)**	Shortest:	**191 Days (6.3 Months)**
Median:	**247 Days (8.1 Months)**	Longest:	**595 Days (19.5 Months)**

Expert discovery cutoffs also followed a generally consistent pattern. In 52 of the 67 investigations, the cutoff fell between 211 and 270 days, or approximately 6.9 to 8.9 months, after receipt of the initiating document. The median interval between expert identification and the close of expert discovery was 128 days, or 4.2 months, indicating that a typical schedule provided approximately four months for expert discovery after witnesses were identified.

As recorded in the dataset, Inv. No. 337-TA-1315 was a clear outlier at 595 days. The next-longest cutoff was 331 days, and all others were 307 days or fewer. Excluding that investigation, the average cutoff was approximately 250 days, or 8.2 months, closely aligning with the 247-day median.

Key Events

TIMEFRAME ANALYSIS

DOAR further analyzed the timing of Markman hearings and evidentiary hearings across ALJ Elliot's investigations to better understand the pace, structure, and variability of his procedural schedules. Overall, the data reflects a relatively consistent approach to scheduling; most investigations fall within relatively predictable timing ranges, suggesting a structured procedural framework while still allowing flexibility based on the needs and complexity of a particular investigation. We would like to note that although ALJ Elliot has not scheduled a Markman hearing since 2023, the dates listed below are based on historical investigation data from years prior.

Evidentiary Hearing

Average: **328 Days (10.8 Months)**
Median: **315 Days (10.3 Months)**

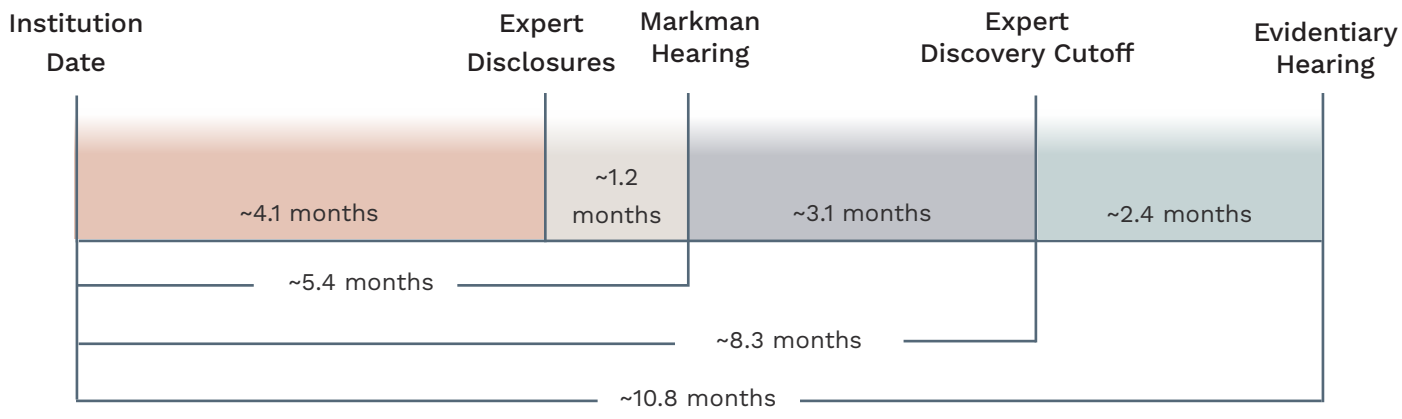
Markman Hearing

Average: **161 Days (5.4 Months)**
Median: **160 Days (5.3 Months)**

Event	Avg. Days	Median Days	Approx. Months
Expert Disclosure	126	122	4.1
Markman Hearing	161	160	5.4
Expert Discovery	256	247	8.3
Evidentiary Hearing	328	315	10.8

The average milestone timing reflects a relatively compressed period between expert disclosure and claim construction, followed by several months of expert discovery and hearing preparation. Expert disclosures occurred approximately 4.1 months after institution, with Markman hearings about 1.2 months later. Expert discovery closed approximately 3.1 months after Markman, and evidentiary hearings followed roughly 2.4 months later. Overall, evidentiary hearings occurred approximately 10.8 months after institution, underscoring the importance of early expert retention and sustained technical preparation.

APPROXIMATE TIMELINE

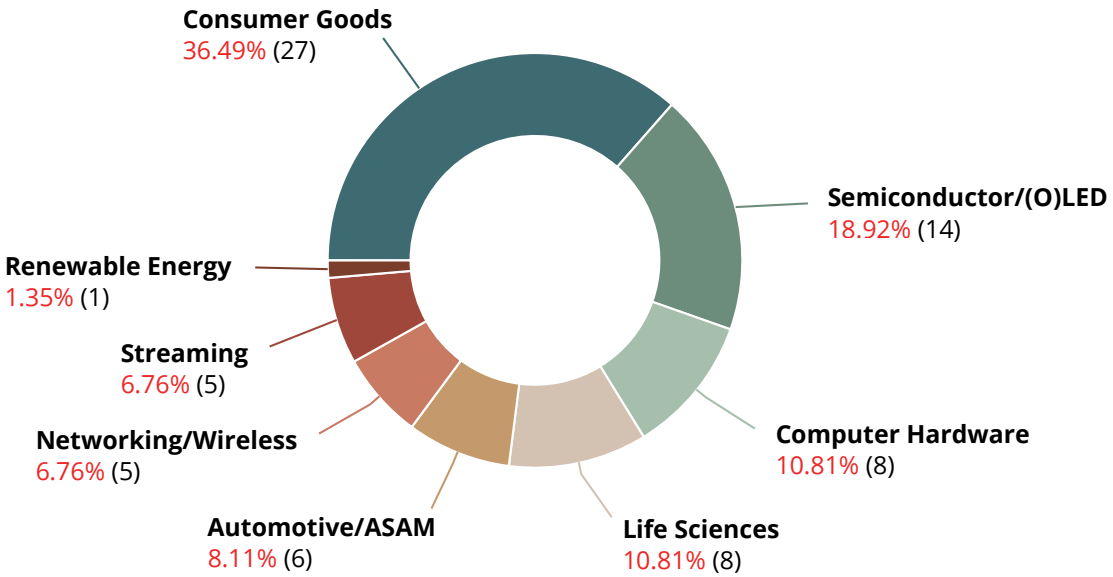


Investigations Categorized by DOAR Focus

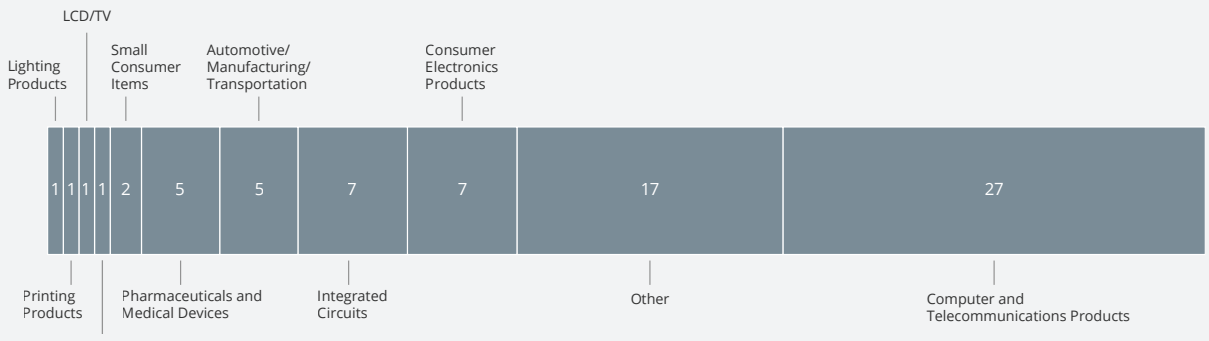
TECHNOLOGY DEEP DIVE

As part of DOAR's continuous monitoring of ITC cases, our primary goal is to predict the technical and industry experts who would be most valuable to our clients in their respective cases. This ongoing data collection process has yielded a wealth of information that we believe our clients will find beneficial, particularly in the form of a historical deep dive into ALJ Elliot's previous assignments. By understanding the types of cases and technology areas he has encountered in the past, our clients can make more informed decisions when selecting experts for future cases assigned to him. The following shows the DOAR and ITC categories that correspond to the technology areas centered in his investigations as an ALJ.

DOAR CATEGORIES AS ALJ

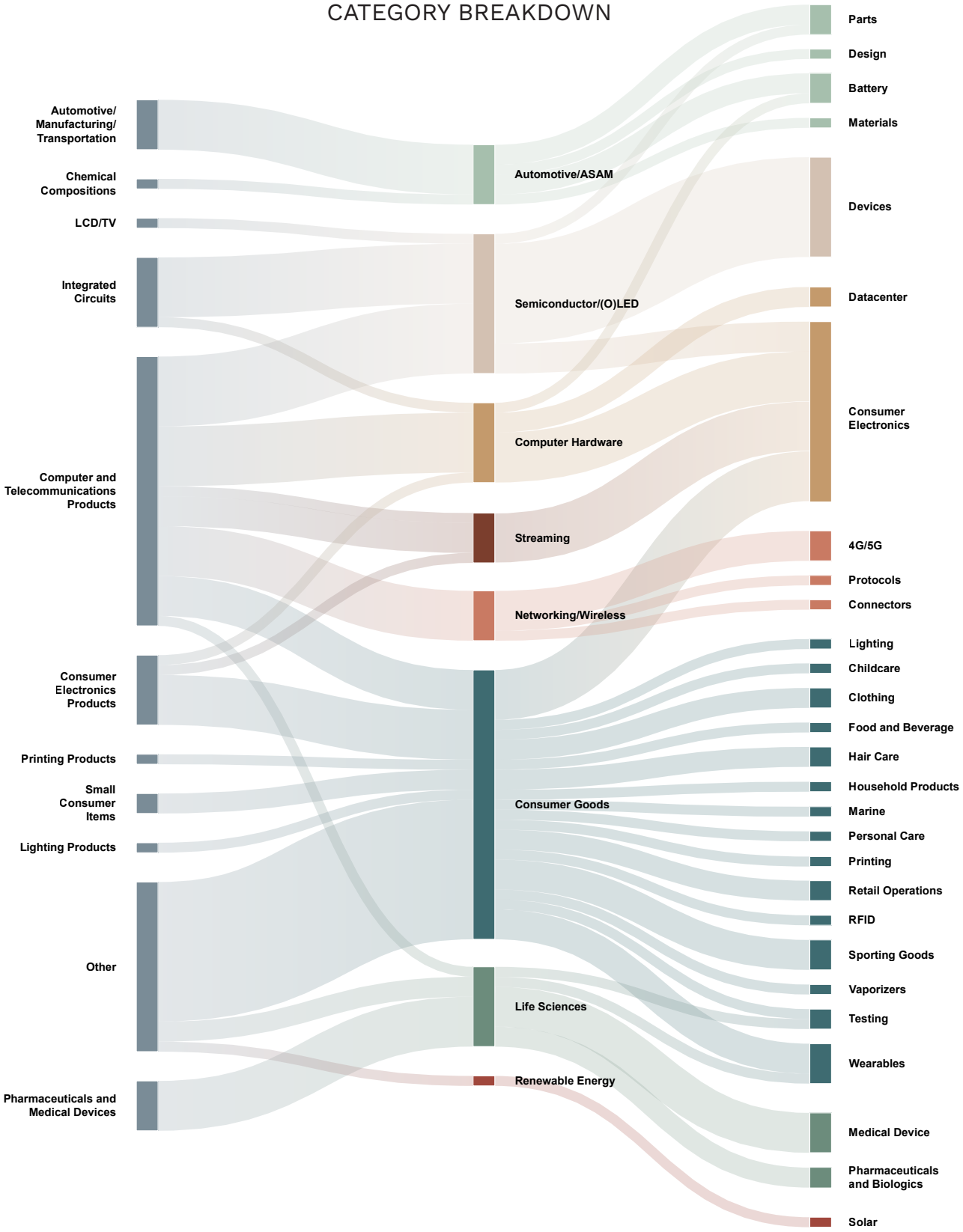


ITC ASSIGNED CATEGORIES AS ALJ



The following chart shows both a further refinement of DOAR's category analysis and how our definitions differ from the ITC's. Our refined categories directly reflect the industries served by DOAR's specialized teams.

CATEGORY BREAKDOWN



Ground Rule Amendments

ALJ Elliot has periodically amended his Ground Rules to reflect evolving litigation practices, technological changes, and refinements to discovery and hearing procedures. DOAR reviewed each amendment order issued during his investigations to identify procedural changes that may affect case management, discovery strategy, and hearing preparation.

337-TA-1140

- Motions in limine were limited to ten per side and ten pages each, with challenges to expert testimony required to be filed separately.
- Exhibits used solely for impeachment were required to appear on the offering party's exhibit list, and documents omitted from an exhibit list could not be introduced absent good cause.
- Procedures for resolving exhibit objections and admitting unopposed exhibits were revised, including recognition that a sponsoring witness generally was unnecessary for relevant, material, reliable, and non-repetitious evidence.
- The procedural schedules were streamlined by eliminating several intermediate deadlines concerning exhibit objections and requests to admit exhibits without sponsoring witnesses.

337-TA-1162

- Leading questions were prohibited during direct examination of non-hostile witnesses, except by Commission staff.
- The sequence and permissible scope of direct, cross, staff examination, redirect, and recross were defined.
- Witnesses designated by multiple parties generally were required to testify only once.

337-TA-1170

- Final exhibit lists and electronic exhibits were due with initial post-hearing briefs.
- Final exhibits were submitted directly to the Administrative Law Judge through Box.
- Parties were required to provide confidential, public, master, and rejected exhibit lists.
- Each side was responsible for its exhibits, with complainants responsible for joint exhibits.
- Parties were required to agree on procedures for submitting source-code evidence.

337-TA-1323

- The definition of a qualifying NEXT Advocate was revised to cover attorneys who had presented three or fewer times before a federal tribunal.
- When two qualifying attorneys participated, up to thirty minutes could be excluded from allocated hearing time.
- Existing notice, certification, and senior-counsel assistance provisions were retained.

Ground Rule Amendments Cont.

337-TA-1280

- Ground Rule 16 was added to implement the Commission's NEXT Advocates program.
- Qualifying attorneys generally had three or fewer substantive arguments or witness examinations before a federal tribunal.
- The first fifteen minutes of a qualifying attorney's examination were excluded from allocated hearing time.
- Qualifying attorneys could present oral argument on certain motions, subject to notice and certification requirements.
- Senior counsel remained permitted to provide assistance or clarification when necessary.

337-TA-1357

- Parties were required to obtain timely leave before serving supplemental expert reports unless the procedural schedule already permitted them.
- Supplemental reports remained subject to the Ground Rules' expert-disclosure requirements.

337-TA-1370

- Updated attorney-advisor contact and procedures for submitting electronic courtesy copies.
- Same-day courtesy copies were submitted through Box in Word or searchable PDF format.
- Hyperlinked copies were required for summary-determination, claim-construction, and post-hearing briefing, except for Commission staff.

337-TA-1484

- Deadlines and procedures for filing public versions and proposing redactions to confidential orders were revised.
- Same-day PDF courtesy copies were submitted by email, with confidential documents encrypted.
- Discovery motions required a meet-and-confer and teleconference with the ALJ.
- Proposed exhibits were exchanged by the applicable deadline and submitted through Box.
- Total hearing time was generally limited to thirty hours absent extraordinary circumstances.
- Expert testimony was limited to opinions disclosed in reports and responsive deposition testimony.

Expert Challenges

DOAR actively tracks and analyzes expert challenges across ITC proceedings to refine our expert services and provide informed recommendations tailored to each investigation. Our database of expert challenge decisions offers insight into individual ALJs' expectations and tendencies, helping clients identify experts best suited for their matters. Since his appointment, ALJ Elliot has addressed numerous expert challenges, often allowing disputes concerning methodology, reliability, or evidentiary support to be tested through cross-examination rather than exclusion. He has more frequently limited opinions that introduced untimely theories, exceeded disclosed contentions, or relied on undisclosed evidence. Key expert challenge rulings are summarized below:

337-TA-1120

- Expert testimony limited where certain enablement, non-infringement, and technical domestic-industry opinions lacked adequate support in prior reports or deposition testimony.
- Separate challenges granted in part and denied in part, with one expert allowed and portions of another witness's testimony struck as improper expert opinion offered through a lay witness.

337-TA-1132

- Expert challenges from both sides denied where criticisms of survey methodologies, qualifications, analytical approaches, and injury opinions went to weight and cross-examination rather than admissibility.

337-TA-1140

- Automotive design expert allowed where the challenged assumptions and potential weaknesses were appropriate subjects for cross-examination.
- IPR declaration allowed as part of the intrinsic patent record, while other declarations and deposition testimony were struck as undisclosed expert opinions.

337-TA-1153

- German-law expert allowed where the testimony was relevant and objections to the substance of the opinions could be addressed through cross-examination.
- Expert testimony partially excluded, while the remaining challenged testimony was allowed subject to question-by-question objections at the hearing.

337-TA-1162

- Economic and technical domestic-industry experts allowed after challenges to allegedly untimely opinions, finding the methodologies and theories adequately disclosed and no undue prejudice shown.

Expert Challenges Cont.

337-TA-1170

- Expert allowed to offer invalidity opinions concerning incorrect inventorship, finding that alleged evidentiary weaknesses went to weight and cross-examination and that the opinions were not improper legal conclusions.

337-TA-1175

- Expert testimony concerning a prior-art system and proposed demonstration allowed despite allegedly incomplete discovery, while certain previously unproduced physical exhibits were excluded.

337-TA-1224

- Expert reports and declarations from prior proceedings allowed for use as intrinsic evidence or during cross-examination, finding that Respondents had notice and would not suffer undue prejudice.

337-TA-1330

- Portions of expert opinions excluded for relying on undisclosed prior art, exceeding the parties' contentions, or introducing untimely supplemental theories, while the remaining challenged opinions were allowed.
- Follow-on challenge denied where the disputed arguments remained supported by non-stricken expert opinions or the parties' underlying contentions.

337-TA-1346

- Economic expert's price-differential and bond analysis excluded because it exceeded the Complainant's disclosed contentions and would prejudice Respondents.
- Technical expert opinions and a declaration submitted with a summary-determination motion were limited where they exceeded disclosed contentions or were untimely, while properly disclosed infringement and other report and deposition opinions were allowed.

337-TA-1400

- Invalidity and obviousness opinions allowed where the theories were sufficiently disclosed in the expert's analysis.
- Untimely non-infringement and infringement theories and certain undisclosed parameters excluded, while other theories falling within the experts' disclosed opinions were allowed.

337-TA-1415

- Newly introduced claim construction struck as untimely, while the expert's testing evidence and representative-product infringement opinions were allowed.
- Portions of an economic expert's domestic-industry analysis excluded for introducing untimely sales, allocation, significance, and per-patent theories, while certain disclosed analyses were allowed.

Expert Challenges Cont.

337-TA-1439

- Newly disclosed invalidity and domestic-industry opinions struck, while other challenged opinions from the same and opposing experts were allowed.
- Reliability challenges to product-composition and testing opinions denied as disputes going to the merits, although separate untimely opinions and reliance on undisclosed evidence were excluded.

337-TA-1457

- Invalidity and non-infringement expert opinions allowed where the prior-art theories and supporting evidence were sufficiently disclosed, with authentication and alteration objections going primarily to weight.
- Representativeness testimony allowed, although one expert was limited to the scope and level of specificity disclosed in his report.

337-TA-1477

- Challenge concerning AI Coach denied as moot after the expert agreed not to rely on it as prior art.
- Domestic industry expert's previously undisclosed independent theory excluded while remaining opinions were allowed.
- Expert's undisclosed AI Coach, activity-recognition, Running Tolerance, Activity Rings, and related infringement theories excluded, while previously disclosed and background opinions were allowed.

FAST FACTS

- To prevent excessive pre-hearing motions, ALJ Elliot limits each side to a maximum of ten motions in limine, with the stipulation that parties should not circumvent this limit by combining multiple issues into a single motion. This rule promotes focused and efficient pre-trial proceedings.
- In investigations involving non-practicing entities (NPEs), such as Inv. 1323, 1332, and 1340, ALJ Elliot has required complainants to disclose information about parent corporations and any publicly held companies with ownership interests. This measure enhances transparency and aids in assessing potential conflicts of interest.

Investigations by Unfair Act Alleged

UNFAIR ACTS OVERVIEW

To gain a clearer picture of the breadth and depth of ALJ Elliot's experience in handling various types of Unfair Acts throughout his career at the ITC, we've created the following chart breaking down each act alleged in the investigations he has handled. It is important to note that some investigations involved multiple Unfair Acts, resulting in a total count that exceeds his number of investigations.

Unfair Acts	2018	2019	2020	2021	2021	2023	2024	2025	2026	Total
Patent Infringement	4	3	8	9	12	8	9	8	8	**69**
Trademark Infringement	2	-	-	1	-	1	-	-	-	**4**
Trade Secret Misappropriation	-	3	1	-	-	-	-	-	-	**4**
Trade Dress Infringement	1	-	-	-	-	1	1	-	-	**3**
False Advertising	-	1	-	-	-	-	-	-	-	**1**
Unfair Competition	1	-	-	-	-	-	-	-	-	**1**
Other	1	-	-	-	-	-	-	-	-	**1**

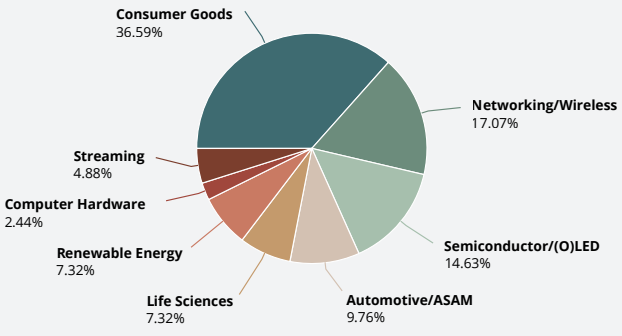
Patent infringement overwhelmingly dominated the matters analyzed, appearing in 69 of ALJ Elliot's 74 investigations, or approximately 93%. It was also the most frequently alleged unfair act in every year covered by the dataset, reflecting the consistently patent-focused nature of his docket.

Other alleged unfair acts appeared far less often. Trademark infringement and trade secret misappropriation each arose in four investigations, trade dress infringement in three, and false advertising, unfair competition, and other unfair acts in one each. Because some investigations involved multiple alleged unfair acts, the categories total 83 appearances across the 74 matters. Overall, the data shows a docket centered on patent disputes, with a smaller subset involving additional intellectual property or commercial-conduct allegations.

COMING SOON

Discover more about the ITC's Administrative Law Judges in upcoming editions of DOAR'S ITC Report series. Subsequent reports will provide an in-depth look at each ALJ, detailing their investigation focus areas, scheduling patterns, and professional backgrounds. The next in this series will cover ALJ Johnson-Hines. Here, we offer insights into his assignments based on DOAR'S industry categorization.

DOAR CATEGORIZATION OF
ALJ JOHNSON-HINES ASSIGNMENTS



DOAR's ITC Expertise

PROVIDING CLARITY AND INSIGHT ON EVERY MATTER

DOAR is the leading litigation consulting company offering strategic support for cases involving advanced technologies and life sciences. Our experience in ITC matters is informed by extensive involvement in Section 337 investigations and through team members with direct experience in some of the Commission's most complex proceedings.

We have remained at the forefront of ITC investigations by providing leading testifying experts alongside tailored trial and graphics consulting services that support the clear presentation of complex technical and economic issues for some of the venue's most demanding cases. Our experts include highly credentialed engineers, scientists, and industry executives with experience across the advanced technologies and life sciences sectors frequently at issue in Section 337 investigations.



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Contact us at inquire@DOAR.com to learn more about our ITC expertise and how DOAR can help your team prepare for a Section 337 investigation.

Scan to visit our website or head to DOAR.com to learn more.