

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN WIRELESS DEVICES WITH 3G
CAPABILITIES AND COMPONENTS THEREOF**

Investigation No. 337-TA-800

**NOTICE OF COMMISSION DETERMINATION GRANTING A REQUEST
BY THE ADMINISTRATIVE LAW JUDGE FOR JUDICIAL ENFORCEMENT
OF A SUBPOENA IF NECESSARY**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to grant a request by the presiding administrative law judge (ALJ) for judicial enforcement of a subpoena issued in this investigation and has authorized its Office of the General Counsel to seek such enforcement if necessary.

FOR FURTHER INFORMATION CONTACT: Panyin A. Hughes, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3042. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on August 31, 2011, based on a complaint filed by InterDigital Communications, LLC of King of Prussia, Pennsylvania; InterDigital Technology Corporation of Wilmington, Delaware; and IPR Licensing, Inc. of Wilmington, Delaware. 76 *Fed. Reg.* 54252 (Aug. 31, 2011). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain wireless devices with 3G capabilities and components thereof by reason of infringement of certain claims of United States Patent Nos. 7,349,540; 7,502,406; 7,536,013; 7,616,970; 7,706,332; 7,706,830; and 7,970,127. The notice of investigation named several entities as respondents, including Nokia Corporation of Espoo, Finland and Nokia Inc. of

White Plains, New York (collectively, “Nokia”). The complaint and notice of investigation were subsequently amended to allege infringement of certain claims of United States Patent No. 8,009,636 and to add additional respondents. 76 *Fed. Reg.* 81527 (Dec. 28, 2011). The complaint and notice of investigation were further amended to include an additional respondent. 77 *Fed. Reg.* 26788 (May 7, 2012).

On August 1, 2012, Nokia moved to obtain judicial enforcement of a subpoena *ad testificandum* and *duces tecum* (“subpoena”) that was issued on July 3, 2012, to non-party Evercore Partners, Inc. of New York, New York (“Evercore”). On August 13, 2012, Evercore filed an opposition to Nokia’s motion. The ALJ granted Nokia’s motion on September 7, 2012, in Order No. 61, and certified a request for judicial enforcement of the subpoena to the Commission. Evercore indicated in a letter to the Commission on October 2, 2012 that it intends to comply with the subpoena. The Commission has granted the ALJ’s request and has authorized its Office of the General Counsel to seek judicial enforcement of the subpoena if necessary.

The authority for the Commission’s determination is contained in section 337 of the Tariff Act of 1930, as amended, (19 U.S.C. § 1337), and Commission Rule of Practice and Procedure 210.32(g), 19 C.F.R. § 210.32(g).

By order of the Commission.

A handwritten signature in black ink, appearing to read "Lisa R. Barton", written in a cursive style.

Lisa R. Barton
Acting Secretary to the Commission

Issued: October 23, 2012