

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C. 20436

In the Matter of

**CERTAIN INTEGRATED CIRCUIT
DEVICES AND PRODUCTS
CONTAINING THE SAME**

Inv. No. 337-TA-873

NOTICE OF INSTITUTION OF INVESTIGATION

Institution of investigation pursuant to 19 U.S.C. § 1337

AGENCY: U.S. International Trade Commission

ACTION: Notice

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on February 8, 2013, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Tela Innovations, Inc. of Los Gatos, California. A letter supplementing the complaint was filed on February 28, 2013. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and/or the sale within the United States after importation of certain integrated circuit devices and products containing the same by reason of infringement of certain claims of U.S. Patent Nos. 8,264,049 (“the ‘049 patent”); U.S. Patent No. 8,264,044 (“the ‘044 patent”); U.S. Patent No. 8,258,550 (“the ‘550 patent”); U.S. Patent No. 8,258,547 (“the ‘547 patent”); U.S. Patent No. 8,217,428 (“the ‘428 patent”); U.S. Patent No. 8,258,552 (“the ‘552 patent”); and U.S. Patent No. 8,030,689 (“the ‘689 patent”). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue an exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is 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., Room 112, Washington, D.C. 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at

<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>.

FOR FURTHER INFORMATION CONTACT: The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.10 (2012).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on March 11, 2013, **ORDERED THAT –**

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain integrated circuit devices and products containing the same that infringe one or more of claims 1-11 and 20-23 of the '049 patent; claims 1-5, 7, 8, 10-14, 17, 18, 21-25, 28, 29, 32-36, 39, and 40 of the '044 patent; claims 1-23, 26-31, and 38-46 of the '550 patent; claims 1-34 of the '547 patent; claims 1-13 of the '428 patent; claims 1-5, 11, and 18-47 of the '552 patent; and claims 2-4, 29, and 33-46 of the '689 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to Commission Rule 210.50(b)(1), 19 C.F.R. § 210.50(b)(1), the presiding administrative law judge shall take evidence or other information and hear arguments from the parties and other interested persons with respect to the public interest in this investigation, as appropriate, and provide the Commission with findings of fact and a recommended determination on this issue, which shall be limited to the statutory public interest factors set forth in 19 U.S.C. §§ 1337(d)(1) and (f)(1);

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

Tela Innovations, Inc.
485 Alberto Way, Suite 115
Los Gatos, CA 95032

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

HTC Corporation
23 Xinghua Road
Taoyuan, 330, Taiwan

HTC America, Inc.
13920 SE Eastgate Way
Bellevue, WA 98005

LG Electronics, Inc.
LG Twin Towers
20, Yeouido-dong
Yeongdeungpo-gu
Seoul 150-721
Republic of Korea

LG Electronics U.S.A., Inc.
1000 Sylvan Avenue
Englewood Cliffs, NJ 07632

LG Electronics MobileComm U.S.A., Inc.
10101 Old Grove Road
San Diego, CA 92131

Motorola Mobility LLC
600 N. U.S. Highway 45
Libertyville, IL 60048

Nokia Corporation (Nokia Oyj)
Keilalahdentie 2-4
FI-02150 Espoo, Finland

Nokia, Inc.
200 South Matilda Avenue
West Washington Avenue
Sunnyvale, CA 94086

Pantech Co., Ltd.
Pantech R&D Center
I-2, DMC Sangam-dong Mapo-go
Seoul, 121-270
Republic of Korea

Pantech Wireless, Inc.
5607 Glenridge Dr. NE
Suite 500
Atlanta, GA 30342

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.13. Pursuant to 19 C.F.R. §§ 201.16(d)-(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondents, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order, or both, directed against the respondents.

By order of the Commission.

/s/
Lisa R. Barton
Acting Secretary to the Commission

Issued: March 12, 2013