

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN NAVIGATION PRODUCTS,
INCLUDING GPS DEVICES,
NAVIGATION AND DISPLAY
SYSTEMS, RADAR SYSTEMS,
NAVIGATIONAL AIDS, MAPPING
SYSTEMS AND RELATED SOFTWARE**

Investigation No. 337-TA-900

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING AN UNOPPOSED MOTION TO TERMINATE THE
INVESTIGATION AS TO CERTAIN RESPONDENTS AND ASSERTED PATENTS
BASED UPON SETTLEMENT**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 23) granting an unopposed motion to terminate the investigation as to respondents Garmin Ltd. of Schaffhausen, Switzerland; and Garmin International, Inc.; Garmin North America, Inc.; and Garmin USA, Inc. all of Olathe, Kansas (collectively, "Garmin") based upon settlement and as to all the asserted claims of United States Patent Nos. 6,424,292 ("the '292 patent") and 7,768,447 ("the '447 patent").

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 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>. 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 Inv. No. 337-TA-900 on November 15, 2013, based on a complaint filed by Furuno Electric Co., Ltd. of Hyogo, Japan and Furuno U.S.A., Inc. of Camas, Washington ("Furuno"). 78 *Fed. Reg.* 68861-62 (Nov. 15, 2013). 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 navigation products, including GPS devices, navigation and display systems, radar systems, navigational aids, mapping systems and related software by reason of infringement of various claims of United States Patent Nos. 6,084,565 and 7,161,561; and the '292 and '447 patents. The notice of investigation named several respondents, including Garmin. 78 *Fed. Reg.* at 68862. The Office of Unfair Import Investigations is a party to the investigation. *Id.*

On June 2, 2014, Furuno and Garmin filed a joint motion to terminate the investigation as to Garmin based upon settlement. The parties also moved to terminate the investigation as to all the asserted claims of the '292 and '447 patents because those claims were not asserted against the remaining respondents. On June 4, 2014, the Commission investigative attorney filed a response in support of the motion. No other responses to the motion were filed.

On June 30, 2014, the ALJ issued the subject ID, granting the motion. The ALJ found that confidential and public copies of the settlement agreement were provided in compliance with the requirements of Commission Rule 210.21(b)(1) (19 C.F.R. § 210.21(b)(1)), and that terminating Garmin and the '292 and '447 patents from the investigation would not be contrary to the public interest. None of the parties petitioned for review of the ID.

The Commission has determined not to review the ID.

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 in Part 210 of the Commission's Rules of Practice and Procedure (19 C.F.R. Part 210).

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: July 21, 2014