

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN ELECTRONIC DEVICES
WITH OPTICAL FILTERS AND
OPTICAL SENSOR SYSTEMS AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1187

**NOTICE OF COMMISSION DETERMINATION NOT TO
REVIEW AN INITIAL DETERMINATION TERMINATING THE
INVESTIGATION WITH RESPECT TO FIVE CLAIMS BASED
ON A PARTIAL WITHDRAWAL OF THE COMPLAINT**

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 an initial determination (“ID”) (Order No. 10) issued by the presiding administrative law judge (“ALJ”), terminating the investigation with respect to five patent claims based on a partial withdrawal of the complaint.

FOR FURTHER INFORMATION CONTACT: Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-5468. 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 (<https://www.usitc.gov>). The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://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 December 27, 2019, based on a complaint filed by Viavi Solutions Inc. of San Jose, California (“Viavi”). 84 FR 71464 (Dec. 27, 2019). The complaint, as supplemented, alleges 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 electronic devices with optical filters and

optical sensor systems and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 9,588,269; 9,945,995 (“the ’995 patent”); and 10,222,526. *Id.* The Commission’s notice of investigation named as respondents Optrontec Inc. of Changwon, Republic of Korea; LG Electronics, Inc. of Seoul, Republic of Korea; LG Innotek Co., Ltd. of Seoul, Republic of Korea; and LG Electronics U.S.A, Inc. of Englewood Cliffs, New Jersey. *Id.* The Office of Unfair Import Investigations is participating in this investigation. *Id.*

On March 3, 2020, Viavi moved to terminate the investigation with respect to claims 1, 4, 8, 13, and 18 of the ’995 patent based on its partial withdrawal of the complaint. No party opposed the motion.

On March 4, 2020, the ALJ issued the subject ID, granting the motion and terminating the investigation with respect to those five claims based on a partial withdrawal of the complaint. No petitions for review of the ID were received.

The Commission has determined not to review the subject 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 CFR part 210).

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: March 18, 2020