

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN ELECTRONIC DEVICES,
INCLUDING MOBILE PHONES,
TABLET COMPUTERS, AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1038

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN
INITIAL DETERMINATION GRANTING AN UNOPPOSED MOTION TO
TERMINATE THE INVESTIGATION WITH RESPECT TO CERTAIN CLAIMS**

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. 20) of the presiding administrative law judge (“ALJ”) granting an unopposed motion to terminate claims 20, 21, 23, 24, 46-51, 53, 54, 58, 59 and 61 of U.S. Patent 8,036,619 (“the ’619 patent”).

FOR FURTHER INFORMATION CONTACT: Amanda Pitcher Fisherow, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW, Washington, D.C. 20436, telephone (202) 205-2737. 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 <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 January 27, 2017, based on a complaint and supplements, filed on behalf of Nokia Technologies Oy of Espoo, Finland (“complainant”). 82 FR 8626-27 (Jan. 27, 2017). The complaint as supplemented alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain electronic devices, including mobile phones, tablet computers, and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 7,415,247 (“the ’247 patent”); 9,270,301 (“the ’301 patent”); 6,393,260 (“the ’260 patent”); 6,826,391 (“the ’391 patent”); 6,480,700; 9,473,602; 7,653,366; and the ’619 patent. The Notice of Investigation named Apple Inc., a/k/a Apple Computer, Inc. (“Apple”) of Cupertino, California as a respondent. The Office of Unfair

Import Investigations (“OUII”) was named as a party. On January 26, 2017, the ALJ severed the investigation into two investigations. The ’301, ’391, ’260 and ’247 patents are now asserted in Inv. No. 337-TA-1039.

On May 12, 2017, complainant filed a motion to withdraw claims 20, 21, 23, 24, 46-51, 53, 54, 58, 59 and 61 of the ’619 patent. In this motion, complainant certified that there are no agreements, written or oral, express or implied between the parties concerning the subject matter of the investigation. OUII and Apple did not oppose the motion.

On May 22, 2017, the ALJ issued an order (Order No. 20) granting complainant’s motion to terminate claims 20, 21, 23, 24, 46-51, 53, 54, 58, 59 and 61 of the ’619 patent. The ALJ found that no extraordinary circumstances prevent the partial termination of the investigation. No petitions for review were filed.

No petitions for review were filed, and 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 CFR part 210).

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
Secretary to the Commission

Issued: June 13, 2017