

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN TWO-WAY RADIO
EQUIPMENT AND SYSTEMS,
RELATED SOFTWARE AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1053

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO CERTAIN
PATENT 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. 19) of the presiding administrative law judge (“ALJ”), terminating the above-captioned investigation as to the following claims: claims 1, 4, 12, and 18 of U.S. Patent No. 8,116,284 (“the ’284 patent”); claims 4, 13, 16, and 25 of U.S. Patent No. 8,032,169 (“the ’169 patent”); claims 3-4, 9, 19-20, and 23-24 of U.S. Patent No. 7,369,869 (“the ’869 patent”); claims 2, 4, and 14 of U.S. Patent No. 7,729,701 (“the ’701 patent”); claims 4 and 8 of U.S. Patent No. 9,099,972 (“the ’972 patent”); and claims 6 and 12 of U.S. Patent No. 6,591,111 (“the ’111 patent”) (collectively, “the Withdrawn Claims”). The Commission has also determined not to review the ALJ’s ID terminating the investigation as to claim 19 of U.S. Patent No. 8,279,991 (“the ’991 patent”) for the purposes of satisfying the technical prong of the domestic industry requirement.

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436, telephone (202) 708-2310. 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, SW., 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 May 3, 2017, based on a complaint filed by Motorola Solutions, Inc. of Chicago, Illinois. 82 FR 20635-36. The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, by reason of infringement of certain claims of the following U.S. Patent Nos.: the '284 patent, the '169 patent, the '701 patent, the '869 patent, the '972 patent, the '111 patent, and the '991 patent. The complaint further alleges the existence of a domestic industry. The Commission's notice of investigation named multiple respondents. The Office of Unfair Import Investigations is not participating in the investigation.

On October 23, 2017, complainant filed an unopposed motion to terminate the investigation with respect to allegations of infringement of the Withdrawn Claims. The motion also included withdrawal of claim 19 of the '991 patent for purposes of satisfying the technical prong of the domestic industry requirement.

The ALJ issued the subject ID on October 24, 2017, granting the motion for partial termination. She found that the motion for termination satisfied Commission Rule 210.21(a)(1) (19 CFR 210.21(a)(1)) and that no extraordinary circumstances exist that would prevent the requested partial termination. No party 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 CFR part 210.

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: November 14, 2017