

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

**In the Matter of**

**CERTAIN HAND-HELD MOBILE  
COMPUTING DEVICES,  
COMPONENTS THEREOF AND  
CRADLES THEREFOR**

**Investigation No. 337-TA-544**

**NOTICE OF INVESTIGATION**

**AGENCY:** U.S. International Trade Commission

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

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on June 30, 2005, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Intermec Technologies Corporation. A letter supplementing the complaint was filed on July 12, 2005. The complaint, as supplemented, alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain hand-held mobile computing devices, components thereof and cradles therefor by reason of infringement of claims 62, 66, 67, 71, 126, and 130-132 of U.S. Patent No. 5,410,141, claims 1-3 of U.S. Patent No. 5,468,947, and claims 17-25 and 27-31 of U.S. Patent No. 6,375,344. The complaint further alleges that there exists an industry in the United States as required by subsection (a)(2) of section 337.

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

**ADDRESSES:** The complaint and supplemental letter, except for any confidential information contained therein, are 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: Thomas S. Fusco, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone 202-205-2571.

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 (2005).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on July 26, 2005 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 hand-held mobile computing devices, components thereof or cradles therefor by reason of infringement of one or more of claims 62, 66, 67, 71, 126, and 130-132 of U.S. Patent No. 5,410,141, claims 1-3 of U.S. Patent No. 5,468,947, and claims 17-25 and 27-31 of U.S. Patent No. 6,375,344, and whether an industry in the United States exists as required by subsection (a)(2) of section 337.
- (2) 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 --  
  
Intermec Technologies Corporation  
6001 36<sup>th</sup> Avenue West  
Everett, Washington 98203
  - (b) The respondents are the following companies alleged to be in violation of Section 337 and upon which the complaint is to be served --

Symbol Technologies, Inc.  
One Symbol Plaza  
Holtsville, New York 11742

Symbol de Mexico, Sociedad de R.L. de C.V.  
Avenida Industrial Rio San Juan Mz-99-L-4  
Parque Del Norte  
Reynosa, Tamaulipas, Mexico

(c) Thomas S. Fusco, Office of Unfair Import Investigations,  
U.S. International Trade Commission, 500 E Street, S.W.,  
Room 401-E, Washington, D.C. 20436, who shall be the  
Commission investigative attorney, party to this  
investigation; and

(3) For the investigation so instituted, the Honorable Sidney Harris is  
designated as 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) and 210.13(a), such responses will be considered by the  
Commission if received no later than 20 days after the date of service by the  
Commission of the complaint and notice of investigation. Extensions of time for  
submitting a response to the complaint 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 respondent, to find the facts to be as alleged in the complaint and this  
notice and to enter both an initial determination and a final determination  
containing

such findings, and may result in the issuance of a limited exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Marilyn Abbott  
Secretary to the Commission

Issued: July 28, 2005