UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, D.C.

In the Matter of  
CERTAIN 3G MOBILE HANDSETS  
AND COMPONENTS THEREOF  
Investigation No. 337-TA-613

NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL DETERMINATION SETTING AN 18.5 MONTH TARGET DATE ON REMAND


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. 47) setting a target date of August 28, 2015, for completion of above-captioned investigation on remand.

FOR FURTHER INFORMATION CONTACT: Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2301. 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.

On August 14, 2009, the ALJ issued his final ID, finding no violation of section 337. On October 16, 2009, the Commission determined to review the Final ID in part and terminated the investigation with a finding of no violation. 74 Fed. Reg. 55068-69 (Oct. 26, 2009).

InterDigital timely appealed the Commission’s final determination of no violation of section 337 as to all of the asserted claims of the ’966 patent and claim 5 of the ’847 patent to the Federal Circuit. On August 1, 2012, the U.S. Court of Appeals for the Federal Circuit (“Federal Circuit”) reversed the Commission’s construction of two claim limitations found in the appealed patents-in-suit, reversed the Commission’s determination of non-infringement as to the asserted claims of those patents, and remanded to the Commission for further proceedings. InterDigital Commc’ns, LLC v. Int’l Trade Comm’n., 690 F.3d 1318 (Fed. Cir. 2012).


On February 14, 2014, the presiding ALJ issued Order No. 45, instructing the each party to file its position as to what proceedings it deems necessary (with a proposed procedural schedule(s)) consistent with the Commission order to issue a remand initial determination. The parties filed a joint response on February 24, 2014.

On March 5, 2014, the ALJ issued the subject ID, setting a target date for completion of the remand investigation of August 28, 2015. No party filed a petition for review of the subject ID.

The Commission has determined not to review the subject ID.


By order of the Commission.

Lisa R. Barton
Acting Secretary to the Commission

Issued: April 1, 2014