

**UNITED STATES INTERNATIONAL TRADE COMMISSION**  
**Washington, D.C. 20436**

**In the Matter of**

**CERTAIN ELECTRONIC DEVICES,  
INCLUDING HANDHELD WIRELESS  
COMMUNICATIONS DEVICES**

**Investigation No. 337-TA-667**  
**Investigation No. 337-TA-673**

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION TERMINATING THE INVESTIGATION AS TO U.S. PATENT NO.  
5,235,635**

**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 the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 20C) in consolidated Inv. Nos. 337-TA-667 and 337-TA-673, *Certain Electronic Devices Including Handheld Wireless Communications Devices*, granting complainant's motion for partial termination of the investigation as to U.S. Patent No. 5,235,635 and to remove as a respondent AVC Network Company.

**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.

**SUPPLEMENTARY INFORMATION:** The Commission instituted Inv. No. 337-TA-667 ("the 667 Investigation") on January 23, 2009, based on a complaint filed by Saxon Innovation, LLC of Tyler, Texas ("Saxon"). 74 *Fed. Reg.* 4231. The complaint, as amended and 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, including handheld wireless communications devices, by reason of infringement of certain claims of U.S. Patent Nos. 5,235,635 ("the '635 patent"); 5,530,597 ("the '597 patent"); and 5,608,873 ("the '873 patent"). The complaint further alleges the existence of a domestic industry related to each patent. The Commission's

notice of investigation named various respondents, including Nokia Corporation of Espoo, Finland and Nokia Inc. of Irving, Texas (“Nokia”); High Tech Computer Corp. of Taoyuan, Taiwan and HTC America, Inc. of Bellevue, Washington (collectively “HTC”); AVC Networks Company of Osaka, Japan (“AVC”); and Panasonic Corporation of Osaka, Japan (“Panasonic”). On April 28, 2009, the Commission determined not to review an ID granting under Commission Rule 210.21(b) a joint motion filed by Saxon and HTC to terminate the investigation as to respondent HTC. On July 13, 2009, the Commission determined not to review an ID granting under Commission Rule 210.21(b) a joint motion filed by Saxon and Nokia to terminate the investigation as to respondent Nokia.

The Commission instituted Inv. No. 337-TA-673 (“the 673 Investigation”) on March 31, 2009, based on a complaint filed by Saxon. 74 *Fed. Reg.* 14578-9. The complaint, as amended and 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 electronic devices, including handheld wireless communications devices by reason of infringement of certain claims of the ‘635 patent, the ‘597 patent, and the ‘873 patent. The complaint further alleges the existence of a domestic industry related to each patent. The Commission’s notice of investigation named as respondents Samsung Electronics Co., Ltd. of Seoul, Korea; Samsung Electronics America, Inc. of Ridgefield Park, New Jersey; and Samsung Telecommunications America, LLP of Richardson, Texas (collectively “Samsung”).

On April 23, 2009, the ALJ issued Order No. 28 in the 667 Investigation and Order No. 8 in the 673 investigation, consolidating the investigations. On May 13, 2009, the Commission determined not to review this consolidation.

On June 23, 2009, Saxon moved to partially terminate the consolidated investigation by withdrawing all allegations relating to the ‘635 patent. Saxon also moved to remove AVC as a respondent, noting that AVC is an unincorporated division of Panasonic and, therefore, is not a proper party to this investigation. On June 30, 2009, the Commission investigative attorney filed a response stating that she does not oppose the motion. No additional responses were filed. On July 8, 2009, the ALJ issued the subject ID, granting Saxon’s motion to partially terminate the investigation as to the ‘635 patent and Saxon’s motion to remove AVC as a respondent. No petitions for review were filed.

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 section 210.42 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.42).

By order of the Commission.  
Marilyn R. Abbott, Secretary to the Commission

/s/  
William R. Bishop  
Acting Secretary to the Commission

Issued: July 29, 2009