

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

**In the Matter of**

**CERTAIN WIRELESS  
COMMUNICATIONS EQUIPMENT  
AND ARTICLES THEREIN**

**Investigation No. 337-TA-866**

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION GRANTING COMPLAINANTS' UNOPPOSED MOTION TO  
TERMINATE THE INVESTIGATION IN PART AS 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 the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 48) granting the motion of complainants Samsung Electronics Co., Ltd. of Seoul, Republic of Korea, and Samsung Telecommunications America, LLC of Richardson, Texas (collectively "Samsung") to terminate the investigation in part as to all asserted claims of U.S. Patent No. 8,208,438 ("the '438 patent"); claims 1, 2, 3, 5, and 6 of U.S. Patent No. 7,782,749 ("the '749 patent"); claims 2, 3, 4, and 8 of U.S. Patent No. 8,228,827 ("the '827 patent"); claim 1 of U.S. Patent No. 8,165,081 ("the '081 patent"); and claims 2, 3, 6, and 7 of U.S. Patent No. 6,617,929 ("the '929 patent").

**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 this investigation on January 31, 2013, based on a Complaint filed by Samsung Electronics Co., Ltd. of Seoul, Republic of Korea, and Samsung Telecommunications America, LLC of Richardson, Texas (collectively "Samsung"). 78 *Fed. Reg.* 6837-38 (Jan. 31, 2013). 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 '749 patent; the '081 patent; 8,208,438 the '438 patent; the '827 patent; the '929 patent; U.S. Patent No. 6,767,813 ("the '813 patent"); and U.S. Patent No. 6,865,682. The Complaint further alleges the existence of a domestic industry. The Commission's Notice of Investigation named as respondents Ericsson Inc. of Plano, Texas and Telefonaktiebolaget LM Ericsson of Stockholm, Sweden (collectively "Respondents"). The Office of Unfair Import Investigations was also named as a party. The Commission previously terminated the investigation with respect to the '813 patent. Notice (July 12, 2013); Order No. 30 (June 12, 2013).

On September 6, 2013, Samsung filed a motion pursuant to Commission Rule 210.21(a)(1) for partial termination of the investigation with respect to all asserted claims of the '438 patent; claims 1, 2, 3, 5, and 6 of the '749 patent; claims 2, 3, 4, and 8 of the '827 patent; claim 1 of the '081 patent; and claims 2, 3, 6, and 7 of the 929 patent. The motion indicated that Respondents and the Commission investigative attorney did not oppose the motion.

On September 19, 2013, the ALJ issued the subject ID, granting Samsung's motion pursuant to section 210.21(a)(1) of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.21(a)(1)). No petitions for review of this ID were filed.

The Commission has determined not to review the ID. Claims 4, 12, and 13 of the '749 patent; claims 2-14 of the '081 patent; claims 1, and 5-7 of the '827 patent; claims 1, 4, and 5 of the '929 patent; and all asserted claims of the '682 patent remain pending in the investigation.

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.

A handwritten signature in black ink, appearing to read "Lisa R. Barton", written in a cursive style.

Lisa R. Barton  
Acting Secretary to the Commission

Issued: October 25, 2013