

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN WIRELESS DEVICES WITH 3G
AND/OR 4G CAPABILITIES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-868

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN
INITIAL DETERMINATION TERMINATING THE INVESTIGATION
AS TO CERTAIN ASSERTED PATENT CLAIMS
BASED UPON WITHDRAWAL OF THE COMPLAINT**

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("ALJ") initial determination ("ID") (Order No. 61) terminating the investigation as to eight asserted patent claims withdrawn by the complainant.

FOR FURTHER INFORMATION CONTACT: Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2532. 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 February 5, 2013, based on a complaint filed by InterDigital Communications, Inc. of King of Prussia, Pennsylvania, as well as InterDigital Technology Corporation, IPR Licensing, Inc., and InterDigital Holdings, Inc., each of Wilmington, Delaware (collectively, "InterDigital"). 78 *Fed. Reg.* 8191 (Feb. 5, 2013). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended 19 U.S.C. § 1337, by reason of the infringement of 100 claims from United States Patent Nos. 7,190,966 ("the '966 patent"); 7,286,847 ("the '847 patent"); 8,009,636 ("the

'636 patent"); 7,706,830 ("the '830 patent"); 7,941,151 ("the '151 patent"); 7,616,970 ("the '970 patent"); and 7,502,406 ("the '406 patent"). The notice of institution named ten respondents.

On August 22, 2013, InterDigital filed an unopposed motion to withdraw its complaint as to claims 6-8 and 10 of the '830 patent and claims 3 and 29-31 of the '636 patent. On August 26, 2013, the ALJ granted the motion as an ID. Order No. 61. He found that the motion to terminate was based upon good cause pursuant to 19 C.F.R. § 210.21(a)(1) and that the public interest supported grant of the motion. *Id.* at 1-2. As a result of the ID, the following claims remain asserted: claims 1, 3, 6, 8-9, and 11 of the '966 patent; claims 3 and 5 of the '847 patent; claims 1-18 of the '980 patent; claims 2-6, 8-9, 17-21, 23 and 24 of the '151 patent; claims 1-3 and 5 of the '830 patent; claims 1, 2, 4, and 6-9 of the '636 patent; and claims 2, 6, 9, 13, 16, 20, 26, and 28-30 of the '406 patent.

No petitions for review of the ID 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 sections 210.21 and 210.42 of the Commission's Rules of Practice and Procedure (19 C.F.R. §§ 210.21, 210.42).

By order of the Commission.

A handwritten signature in black ink, appearing to read "Lisa R. Barton". The signature is fluid and cursive, with a large initial "L" and "B".

Lisa R. Barton
Acting Secretary to the Commission

Issued: September 24, 2013