

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

In the Matter of

**CERTAIN DIGITAL MEDIA DEVICES,
INCLUDING TELEVISIONS, BLU-RAY
DISC PLAYERS, HOME THEATER
SYSTEMS, TABLETS AND MOBILE
PHONES, COMPONENTS THEREOF
AND ASSOCIATED SOFTWARE**

Investigation No. 337-TA-882

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN
INITIAL DETERMINATION TERMINATING THE INVESTIGATION
WITH RESPECT 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 an initial determination (“ID”) (Order No. 35) issued by the presiding administrative law judge (“ALJ”) on January 13, 2014, terminating the investigation with respect to certain patent claims by reason of the withdrawal of the complainant’s allegations.

FOR FURTHER INFORMATION CONTACT: Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-5468. 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 (<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 May 7, 2013, based on a complaint filed by Black Hills Media, LLC (“BHM”). 78 *Fed. Reg.* 29156-57. The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 (“section 337”), in the importation into the United States, the sale for importation, and the sale within the United States after importation of

certain digital media devices, including televisions, blu-ray disc players, home theater systems, tablets and mobile phones, components thereof and associated software, by reason of infringement of certain claims of U.S. Patent Nos. 6,618,593; 8,028,323; 8,045,952; 8,050,652; 8,214,873; and 8,230,099. The Commission's notice of investigation named as respondents several Samsung, LG, Panasonic, Toshiba, and Sharp entities.

The Commission previously terminated the investigation with respect to several claims based on BHM's withdrawal of its allegations regarding several claims, including all asserted claims of U.S. Patent No. 8,028,323. *See Order 32, not reviewed* (Jan. 7, 2014).

On January 9, 2014, BHM moved for partial termination of the investigation by withdrawal of its allegations with respect to claims 1, 4, 10, 13-16, and 21 of U.S. Patent No. 6,618,593; claims 10-12 of U.S. Patent No. 8,045,952; claims 3, 4, 6, 7, 10, 42, 44, 45, 47-50, 52, and 55 of U.S. Patent No. 8,050,652; claims 2, 25, 26, 31, and 46 of U.S. Patent No. 8,214,873; and all remaining asserted claims of U.S. Patent No. 8,230,099 ("the Subject Claims"). BHM represented that there are no agreements, written or oral, express or implied between the parties concerning the subject matter of the investigation.

On January 13, 2014, the ALJ issued the subject ID, granting the motion and terminating the investigation with respect to the Subject Claims.

The Commission has determined not to review the subject 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 Part 210 of the Commission's Rules of Practice and Procedure (19 C.F.R. part 210).

By order of the Commission.



Lisa R. Barton
Acting Secretary to the Commission

Issued: February 11, 2014