

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN PORTABLE ELECTRONIC
COMMUNICATIONS DEVICES,
INCLUDING MOBILE PHONES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-885

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN
INITIAL DETERMINATION GRANTING COMPLAINANT'S MOTION TO AMEND
THE COMPLAINT AND NOTICE OF INVESTIGATION**

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. 8) of the presiding administrative law judge ("ALJ") granting complainant's motion to amend the complaint and notice of investigation.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3115. 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 under section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, on June 26, 2013, based on a complaint filed by Nokia Corporation of Espoo, Finland and Nokia Inc., of Sunnyvale, California (collectively, "Nokia"). The complaint, as supplemented, alleges a violation of section 337 by reason of infringement of certain claims of U.S. Patent Nos. 6,035,189 ("the '189 patent"); 6,373,345; 6,711,211 ("the '211 patent"); 7,187,945; 8,140,650 ("the '650 patent"); and 8,363,824. 78 *Fed. Reg.* 38362 (Jun. 26, 2013). The respondents are HTC Corporation of Taoyuan City, Taiwan, and HTC America, Inc. of Bellevue, Washington (collectively, "HTC"). Subsequently, third party Google Inc. intervened as a party in this investigation with respect to three of the six patents, namely the '189, '211 and '650 patents. 78 *Fed. Reg.* 49764 (Aug. 15, 2013).

On July 11, 2013, complainants Nokia filed a motion to amend the complaint and notice of investigation to add U.S. Patent No. 7,366,529 (“the ‘529 patent”) and to add recently launched domestic industry products. On July 22, 2013, respondents HTC filed a response opposing the motion.

On August 15, 2013, the ALJ issued an ID granting Nokia’s motion (Order No. 8). The ALJ found good cause in permitting Nokia to amend the Complaint and Notice of Investigation to add the ‘529 patent and to add the recently launched domestic industry products to this investigation. No party petitioned for review of 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 210.42-.46 of the Commission’s Rules of Practice and Procedure (19 C.F.R. §§ 210.42-.46).

By order of the Commission.



Lisa R. Barton
Acting Secretary to the Commission

Issued: September 9, 2013