

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN COMMUNICATIONS OR
COMPUTING DEVICES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-925

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO CLAIMS OF
INFRINGEMENT OF U.S. PATENT NO. 6,691,302 AGAINST
RESPONDENT APPLE INC.**

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. 19) terminating the above-captioned investigation as to claims of infringement of U.S. Patent No. 6,691,302 ("the '302 patent") against respondent Apple Inc. ("Apple") of Cupertino, California.

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2310. 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 August 21, 2014, based on a Complaint filed by Enterprise Systems Technologies S.a.r.l. of Luxembourg. 79 *Fed. Reg.* 49537-38 (Aug. 21, 2014). The Complaint 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 communications or computing devices and components thereof by reason of infringement of certain claims of the '302 patent and U.S. Patent Nos. 5,870,610; 6,594,366; and 7,454,201. The complaint further alleges that a domestic industry exists or is in the process of being established. The Commission's Notice of Investigation named several respondents including

Apple. The Office of Unfair Import Investigations was also named as a party to the investigation and Google Inc. was later added as an intervenor.

On February 19, 2015, complainant moved for partial termination of the investigation based on withdrawal its claims of infringement of the '302 patent against Apple. No party opposed the motion.

On March 3, 2015, the ALJ issued the subject ID (Order No. 19) granting complainant's motion and finding that the motion for partial termination satisfies Commission rule 210.21(a)(1). No party petitioned for review of the ID.

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 Part 210 of the Commission's Rules of Practice and Procedure (19 C.F.R. Part 210).

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', with a stylized flourish at the end.

Lisa R. Barton
Secretary to the Commission

Issued: April 1, 2015