

**UNITED STATES INTERNATIONAL TRADE COMMISSION**  
**Washington, DC**

In the Matter of

**CERTAIN AUDIO PROCESSING  
HARDWARE AND SOFTWARE AND  
PRODUCTS CONTAINING SAME**

**Inv. No. 337-TA-949**

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW  
AN INITIAL DETERMINATION FINDING THAT COMPLAINANT ANDREA  
ELECTRONICS CORP. HAS STANDING AND TO DENY RESPONDENTS' MOTION  
FOR ORAL ARGUMENT**

**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 (Order No. 8) finding that complainant Andrea Electronics Corp. has standing to bring the complaint in the above-captioned investigation. The Commission has further determined to deny respondents' motion for oral argument.

**FOR FURTHER INFORMATION CONTACT:** Clark S. Cheney, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-2661. 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 March 18, 2015, based on a complaint filed by Andrea Electronics Corp. of Bohemia, New York ("Andrea"). 80 Fed. Reg. 14159-60 (March 18, 2015). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), in the importation, sale for importation, and sale after importation of audio processing articles that infringe five U.S. patents. The notice of investigation named numerous respondents, some of whom have been previously terminated. The notice also named the Office of Unfair Import Investigations as a party.

The notice of investigation directed the presiding administrative law judge (“ALJ”) to determine, within 100 days of institution of the investigation, whether complainant Andrea has standing to assert the patents at issue in the complaint. *See* 80 Fed. Reg. 14,159-60. On June 11, 2015, the ALJ issued an initial determination (“ID”) that Andrea has standing to assert the patents in question.

On June 16, 2015, all remaining respondents in the investigation jointly filed a petition for Commission review and a motion for oral argument before the Commission on the question of review. On June 19, 2015, Andrea and the Commission investigative attorney each filed an opposition to Respondents’ petition and an opposition to Respondents’ motion for oral argument.

The Commission has determined that the ID, the evidentiary record, and the written arguments of the parties have provided sufficient information for the Commission to dispose of the respondents’ petition for review of the subject ID. Accordingly, the Commission has determined to deny respondents’ motion for oral argument before the Commission on this matter. 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".

Lisa R. Barton  
Secretary to the Commission

Issued: July 13, 2015