

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 SETTING THE TARGET DATE
FOR COMPLETION OF THE INVESTIGATION AT 19 MONTHS**

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. 10) setting the target date for completion of the above-captioned investigation at 19 months.

FOR FURTHER INFORMATION CONTACT: Jean Jackson, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3104. 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 since been terminated from the investigation. 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 had 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 had standing to bring the complaint. On July 13, 2015, the Commission issued a notice that it had determined not to review the ID on standing.

On July 20, 2015, the ALJ issued Order No. 10, which set the target date for completion of the investigation at October 13, 2016. The selected target date is approximately 19 months from the date the investigation was instituted. The ALJ found good cause for a 19 month target date in light of the time that was needed to determine Andrea’s standing. The ALJ issued the target date order as an ID pursuant to Commission Rule 210.51(a). No petitions for review of the ID have been filed.

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.

A handwritten signature in black ink, appearing to read "Lisa R. Barton".

Lisa R. Barton
Secretary to the Commission

Issued: August 14, 2015