

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN DIGITAL VIDEO RECEIVERS,
BROADBAND GATEWAYS, AND
RELATED HARDWARE AND
SOFTWARE COMPONENTS**

Inv. No. 337-TA-1158

**NOTICE OF ISSUANCE OF INITIAL DETERMINATION ON VIOLATION OF
SECTION 337 AND RECOMMENDED DETERMINATION ON REMEDY AND BOND**

Administrative Law Judge MaryJoan McNamara

(July 28, 2020)

Pursuant to the Notice of Investigation, 84 Fed. Reg. 24,814-815, dated May 29, 2019, today I have issued the Initial Determination (“ID”) on Violation of Section 337 and Recommended Determination on Remedy and Bond, for the Investigation in the Matter of Certain Digital Video Receivers, Broadband Gateways, and Related Hardware and Software Components, United States International Trade Commission Investigation No. 337-TA-1158. *See* 19 C.F.R. § 210.42(a).

I have found that Complainants Rovi Corporation, and Rovi Guides, Inc., (collectively, “Rovi” or “Complainants”) have proven by a preponderance of evidence that Respondents Comcast Corporation, Comcast Cable Communications, LLC, Comcast Cable Communications Management, LLC, and Comcast Holdings Corporation (collectively, “Comcast” or “Respondents,” and with Rovi, the “Private Parties”) have violated subsection (b) of Section 337 of the Tariff Act of 1930, in the importation into the United States, in the sale for importation, and in the sale within the United States after importation of certain digital video receivers, broadband gateways, and related hardware and software components.

I have found that Comcast has infringed asserted claims 13, 27, and 30 of U.S. Patent No. 8,156,528 (“the ’528 patent”). I have also found that the asserted claims 13, 27, and 30 of the ’528 patent are valid.

I have found that Comcast has not infringed asserted claim 5 of U.S. Patent No. 7,779,445 (“the ’445 patent”). I have found that the asserted claim 5 of the ’445 patent is invalid.

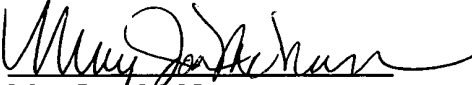
I have found that Comcast has infringed asserted claims 60 and 63 of U.S. Patent No. 7,200,855 (“the ’855 patent”). I have found that the asserted claims 60 and 63 of the ’855 patent are valid.

I have found that one or more of Rovi’s domestic industry products have satisfied the technical industry prong of the domestic industry requirement for the ’528, ’445, and ’855 patents (collectively, the “Asserted Patents”).

I have found that Rovi has satisfied the economic prong of the domestic industry requirement under Sections 337(a)(3)(A) and (B).

I have recommended that a Limited Exclusion Order (“LEO”) and a Cease and Desist Order (“CDO”) issue. I have not recommended that a bond enter during the Presidential Review Period.

SO ORDERED.


MaryJoan McNamara
Administrative Law Judge