

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN MOBILE ELECTRONIC DEVICES
AND RADIO FREQUENCY AND PROCESSING
COMPONENTS THEREOF**

Investigation No. 337-TA-1065

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANT'S UNOPPOSED MOTION TO
TERMINATE THE INVESTIGATION AS TO ONE PATENT BASED UPON
WITHDRAWAL OF ALLEGATIONS PERTAINING TO THAT PATENT FROM THE
COMPLAINT**

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. 6) granting complainant's unopposed motion to terminate the investigation as to U.S. Patent No. 8,487,658 ("the '658 patent") based upon withdrawal of allegations pertaining to the '658 patent from the complaint.

FOR FURTHER INFORMATION CONTACT: Panyin A. Hughes, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3042. 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 <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://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 14, 2017, based on a complaint filed by Qualcomm Incorporated of San Diego, California ("Qualcomm"). 82 *Fed. Reg.* 37899 (Aug. 14, 2017). The complaint alleges violations of section 337 of the Tariff Act of 1930 (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 mobile electronic devices and radio frequency and processing components thereof that infringe one or more claims of U.S. Patent No. 8,633,936; U.S. Patent No. 8,698,558; U.S. Patent No. 8,838,949; U.S. Patent No. 9,535,490; U.S. Patent No. 9,608,675; and the '658 patent. The notice of investigation named Apple Inc. of Cupertino, California ("Apple") as the respondent. The Office of Unfair Import Investigations is participating in the investigation.

On August 25, 2017, Qualcomm moved to terminate the investigation as to the '658 patent based upon withdrawal of allegations pertaining to the '658 patent from the complaint. Qualcomm stated that Apple and the Commission investigative attorney do not oppose the motion.

On August 30, 2017, the ALJ issued the subject ID, granting the unopposed motion. The ALJ found that the motion complies with the requirements of Commission Rule 210.21(a)(1) (19 C.F.R. § 210.21(a)(1)) and further found that there are no extraordinary circumstances that warrant denying the motion. None of the parties 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", written in a cursive style.

Lisa R. Barton
Secretary to the Commission

Issued: September 20, 2017