

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN INTEGRATED CIRCUITS
AND PRODUCTS CONTAINING THE
SAME**

Investigation No. 337-TA-1148

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANT'S MOTION TO TERMINATE THE
INVESTIGATION IN PART WITH RESPECT TO CERTAIN ASSERTED CLAIMS OF
U.S. PATENT NOS. 10,141,334 and 10,186,523**

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 ("ID") (Order No. 44) of the presiding Administrative Law Judge ("ALJ") granting complainant's motion to terminate the investigation in part with respect to certain asserted claims of U.S. Patent Nos. 10,141,334 and 10,186,523.

FOR FURTHER INFORMATION CONTACT: Richard P. Hadorn, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3179. 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: On March 15, 2019, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based on a complaint filed by Tela Innovations, Inc. ("Tela") of Los Gatos, California. 84 *Fed. Reg.* 9558-59 (Mar. 15, 2019). The notice of investigation, as supplemented, alleges a violation of section 337 by reason of infringement of certain claims of U.S. Patent Nos. 7,943,966 ("the '966 patent"); 7,948,012 ("the '012 patent"); 10,141,334 ("the '334 patent"); 10,141,335 ("the '335 patent"); and 10,186,523 ("the '523 patent"). The notice of investigation names as respondents Acer, Inc. of New Taipei City, Taiwan; Acer America Corporation of San Jose, California; AsusTek Computer

Inc. of Taipai, Taiwan; Asus Computer International of Fremont, California; Intel Corporation of Santa Clara, California; Lenovo Group Ltd. of Beijing, China; Lenovo (United States) Inc. of Morrisville, North Carolina; Micro-Star International Co., Ltd. of New Taipei City, Taiwan; and MSI Computer Corp. of City of Industry, California (collectively, “Respondents”). *Id.* at 9559. The Office of Unfair Import Investigations (“OUII”) is also named as a party in this investigation. *Id.* Subsequently, this investigation was terminated in part as to: (1) the ’966 and ’012 patents, Order No. 33 (Oct. 2, 2019), *non-reviewed* by Notice (Oct. 22, 2019); and (2) the ’335 patent and certain asserted claims of the ’334 and ’523 patents, Order No. 36 (Oct. 23, 2019), *non-reviewed* by Notice (Nov. 15, 2019).

On January 3, 2020, Tela moved to terminate this investigation in part, under 19 CFR 210.21(a), based on the withdrawal of the following asserted claims: (1) claims 9 and 24 of the ’334 patent, and (2) claims 22-24 of the ’523 patent. Mot. at 1. The motion represents, *inter alia*, that “Respondents and Staff do not oppose this Motion.” *Id.* On January 6, 2020, OUII filed a statement in support of the motion.

On January 6, 2020, the ALJ issued the subject ID granting Tela’s motion. The ID found that no extraordinary circumstances exist that would prevent the requested partial termination of this investigation. ID at 2. The ID also found that Tela has complied with the requirements of Commission Rule 210.21(a) (19 CFR 210.21(a)). *Id.* No party petitioned for review of the ID.

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 CFR part 210.

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: February 3, 2020