

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

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

Investigation No. 337-TA-1158

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN
INITIAL DETERMINATION TERMINATING THE INVESTIGATION AS TO
CERTAIN CLAIMS**

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. 35) of the presiding administrative law judge (“ALJ”), terminating the investigation as to claims 9 and 23 of U.S. Patent No. 7,779,445 (“the ’445 patent”) and claims 14 and 29 of U.S. Patent No. 7,200,855 (“the ’855 patent”) (collectively, the “Withdrawn Claims”).

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436, telephone (202) 708-2310. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal, telephone 202-205-1810.

SUPPLEMENTARY INFORMATION: On May 29, 2019, the Commission instituted this investigation based on a complaint filed by Rovi Corporation and Rovi Guides, Inc. (collectively, “Rovi”), both of San Jose, California. 84 FR24814-15 (May 29, 2019). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain digital video receivers, broadband gateways, and related hardware and software components by reason of infringement of certain claims of the ’445 patent, the ’855 patent, and U.S. Patent Nos. 8,156,528; 8,001,564; 7,301,900; and 7,386,571. The complaint

further alleges the existence of a domestic industry. The Commission's notice of investigation named as respondents Comcast Corporation, Comcast Cable Communications, LLC, Comcast Cable Communications Management, LLC, and Comcast Holdings Corporation, all of Philadelphia, Pennsylvania. The Office of Unfair Import Investigations is participating in the investigation.

On January 24, 2020, Rovi filed an unopposed motion to terminate the investigation as to the Withdrawn Claims.

On March 20, 2020, the ALJ issued the subject ID (Order No. 35) granting Rovi's motion for partial termination as to the Withdrawn Claims. The ID finds that the motion for termination satisfied Commission Rule 210.21(a)(1), 19 CFR 210.21(a)(1), and that no extraordinary circumstances exist that would prevent the requested partial termination. No petitions for review were filed.

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 CFR 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: April 9, 2020