

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN COMPUTER NETWORK
SECURITY EQUIPMENT AND
SYSTEMS, RELATED SOFTWARE,
COMPONENTS THEREOF, AND
PRODUCTS CONTAINING SAME**

Investigation No. 337-TA-1314

**NOTICE OF COMMISSION DETERMINATION NOT TO
REVIEW AN INITIAL DETERMINATION TERMINATING THE
INVESTIGATION WITH RESPECT TO TWO PATENT 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. 39) issued by the presiding administrative law judge (“ALJ”), terminating the investigation with respect to two patent claims based on the complainant’s partial withdrawal of the complaint.

FOR FURTHER INFORMATION CONTACT: Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-2392. 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 on (202) 205-1810.

SUPPLEMENTARY INFORMATION: On May 24, 2022, the Commission instituted this investigation based on a complaint, as amended and supplemented, filed on behalf of Centripetal Networks, LLC of Reston, Virginia (“Centripetal”). 87 FR 31581-82 (May 24, 2022). The complaint alleged 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 computer network security equipment and systems, related software, components thereof, and products containing the same that infringe certain claims of U.S. Patent Nos. 9,264,370 (“the ’370 patent”); 10,193,917 (“the ’917 patent”); and 10,284,526. *Id.* at 31581. The complaint also alleged that a domestic industry exists. *Id.* The Commission’s notice of investigation names as a respondent Keysight Technologies, Inc. of Santa Rosa, California (“Keysight”). *Id.* The Office of Unfair Import Investigations (“OUII”) is participating in this investigation. *Id.*

On February 23, 2023, Centripetal filed a motion to terminate the investigation with respect to claim 63 of the '370 patent and claim 1 of the '917 patent based on a partial withdrawal of its complaint. On February 24, 2023, OUII filed a response in support of the motion. Keysight did not respond to the motion.

On February 27, 2023, the ALJ issued the subject ID pursuant to Commission Rule 210.21(a) (19 CFR 210.21(a)), granting the motion and terminating the investigation with respect to the two claims. No party petitioned for review of the subject ID.

The Commission has determined not to review the subject ID. Claim 63 of the '370 patent and claim 1 of the '917 patent are hereby terminated from this investigation.

The Commission vote for this determination took place on March 28, 2023.

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: March 29, 2023