

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN PORTABLE ELECTRONIC
COMMUNICATIONS DEVICES,
INCLUDING MOBILE PHONES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-885

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN
INITIAL DETERMINATION SETTING AN 18 MONTH TARGET DATE**

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. 6) of the presiding administrative law judge (“ALJ”) setting an 18 month target date.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3115. 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 <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://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 under section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, on June 26, 2013, based on a complaint filed by Nokia Corporation of Espoo, Finland and Nokia Inc., of Sunnyvale, California (collectively, “Nokia”). The complaint, as supplemented, alleges a violation of section 337 by reason of infringement of certain claims of U.S. Patent Nos. 6,035,189 (“the ‘189 patent”); 6,373,345; 6,711,211 (“the ‘211 patent”); 7,187,945; 8,140,650 (“the ‘650 patent”); and 8,363,824. 78 *Fed. Reg.* 38362 (Jun. 26, 2013). The respondents are HTC Corporation of Taoyuan City, Taiwan, and HTC America, Inc. of Bellevue, Washington. Subsequently, third party Google Inc. filed a motion to intervene as a party in this investigation with respect to three of the six patents, namely the ‘189, ‘211 and ‘650 patents. 78 *Fed. Reg.* 49764 (Aug. 15, 2013).

On August 15, 2013, the ALJ issued an ID (Order No. 8) granting Nokia's motion to amend the notice of investigation and complaint to add U.S. Patent No. 7,366,529 to this

investigation. In order to allow the parties sufficient time to conduct discovery relating to the additional patent, on August 12, 2013, the ALJ issued the subject ID (Order No. 6) setting a target date of approximately eighteen (18) months, *i.e.*, December 26, 2014, with any final initial determination to be filed no later than August 26, 2014. No party petitioned for review of 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 sections 210.42-.46 of the Commission's Rules of Practice and Procedure (19 C.F.R. §§ 210.42-.46).

By order of the Commission.



Lisa R. Barton
Acting Secretary to the Commission

Issued: September 9, 2013