

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN PRODUCTS CONTAINING
INTERACTIVE PROGRAM GUIDE AND
PARENTAL CONTROL TECHNOLOGY**

Inv. No. 337-TA-845

Notice

On this date the undersigned issued the Final Initial Determination on violation of section 337. The following is a summary of some of the key conclusions:

1. The Commission has subject matter and personal jurisdiction in this investigation.
2. The importation requirement has not been satisfied.
3. Netflix's accused products do not infringe asserted claims 13-20 of U.S. Patent No. 7,065,709.
4. Netflix's accused products do not infringe asserted claims 1, 6, 13, or 17 of U.S. Patent No. 6,898,762.
5. Roku's accused products do not infringe asserted claims 1 or 6 of U.S. Patent No. 6,898,762.
6. Netflix's accused products do not infringe asserted claims 1, 2, 4, 6, 14, 15, 17 or 19 of U.S. Patent No. 8,112,776.
7. Netflix's accused products do not infringe asserted claims 1-3, 10 or 11 of U.S. Patent No. 7,103,906.
8. It has not been shown by clear and convincing evidence that any asserted claim of U.S. Patent No. 7,065,709 is invalid.
9. It has not been shown by clear and convincing evidence that any asserted claim of U.S. Patent No. 6,898,762 is invalid.
10. It has been shown by clear and convincing evidence that asserted claims 1, 2, 4, 6, 14, 15, 17, and 19 of U.S. Patent No. 8,112,776 are invalid as anticipated and obvious.

11. It has not been shown by clear and convincing evidence that any asserted claim of U.S. Patent No. 7,103,906 is invalid.
12. The domestic industry requirement is satisfied with respect to all asserted patents.
13. Complainants have standing.
14. Respondents have not prevailed on any patent misuse defense.
15. Respondents have not prevailed on any implied license defense.
16. Respondents have not prevailed on any patent exhaustion defense.

No violation of section 337 has been found.



David P. Shaw
Administrative Law Judge

Issued: June 7, 2013