

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

CERTAIN DIGITAL SET-TOP BOXES AND  
COMPONENTS THEREOF


Inv. No. 337-TA-712

NOTICE REGARDING ISSUANCE OF FINAL INITIAL DETERMINATION AND  
RECOMMENDED DETERMINATION ON REMEDY AND BOND

(May 20, 2011)

On this date, the undersigned issued an Initial Determination on Violation of Section 337 and Recommended Determination on Remedy and Bond in the above-referenced Investigation. Attached are the opening pages from said filing, which are a matter of public record. A complete public version of the Initial Determination on Violation of Section 337 and Recommended Determination on Remedy and Bond will be issued when all the parties have submitted, and the undersigned has had an opportunity to review, the proposed redactions.

**SO ORDERED.**

  
E. James Gildea  
Administrative Law Judge

**Attachment A**

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Inv. No. 337-TA-712

INITIAL DETERMINATION ON VIOLATION OF SECTION 337 AND  
RECOMMENDED DETERMINATION ON REMEDY AND BOND

Administrative Law Judge E. James Gildea

(May 20, 2011)

**Appearances:**

For the Complainants Verizon Services Corp. and Verizon Communications Inc.:

Mark C. Jansen, Esq., Michael E. Joffre, Esq., Michael K. Kellogg, Esq., Evan Leo, Esq., Wan Kim, Esq., Joseph Hall, Esq., and Kenneth Fetterman, Esq. of Kellogg, Huber, Hansen, Todd, Evans & Figel PLLC of Washington, D.C.

Eric S. Namrow, Esq. of O'Melveny & Myers LLP of Washington, D.C.

Phillip Ducker, Esq. of O'Melveny & Myers LLP of Menlo Park, California

John Thorne, Esq. of Verizon Communications of Arlington, Virginia

For the Respondent Cablevision Systems Corporation:

Edward J. DeFranco, Esq. of Quinn Emanuel Urquhart & Sullivan LLP of New York, New York

Charles K. Verhoeven, Esq. of Quinn Emanuel Urquhart & Sullivan LLP of San Francisco, California

David A. Nelson, Esq. of Quinn Emanuel Urquhart & Sullivan LLP of Chicago, Illinois

Jamie D. Underwood, Esq. of Adduci, Mastriani & Schaumberg, LLP of Washington, D.C.

*For the Commission Investigative Staff:*

Lynn I. Levine, Esq., Director; Thomas Fusco, Esq., Supervisory Attorney; and Bryan F. Moore, Esq., Investigative Attorney, of the Office of Unfair Import Investigations, U.S. International Trade Commission, of Washington, D.C.

Pursuant to the Notice of Investigation, 75 Fed. Reg. 20861-62 (April 21, 2010), this is the Initial Determination of the Investigation in the Matter of Certain Digital Set-Top Boxes and Components Thereof, United States International Trade Commission Investigation No. 337-TA-712. *See* 19 C.F.R. § 210.42(a).

With respect to Respondent Cablevision Systems Corp., it is held that no violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation, of certain digital set-top boxes and components thereof by reason of infringement of claim 38 of United States Patent No. 5,666,293.

With respect to Respondent Cablevision Systems Corp., it is held that no violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation, of certain digital set-top boxes and components thereof by reason of infringement of claim 14 of United States Patent No. 5,635,979.

With respect to Respondent Cablevision Systems Corp., it is held that a violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation, of certain digital set-top boxes and components thereof by reason of infringement of claim 13 of United States Patent No. 6,381,748.

With respect to Respondent Cablevision Systems Corp., it is held that no violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), has occurred in the importation into the United States, the sale for importation, or the sale within the United States

after importation, of certain digital set-top boxes and components thereof by reason of infringement of claim 14 of United States Patent No. 6,367,078.

With respect to Respondent Cablevision Systems Corp., it is held that no violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation, of certain digital set-top boxes and components thereof by reason of infringement of claim 5 of United States Patent No. 7,561,214.

It is further held that a domestic industry exists that practices U.S. Patent No. 6,381,748, and that a domestic industry does not exist that practices U.S. Patent Nos. 5,666,293, 5,635,979, 6,367,078, and 7,561,214.