

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN ELECTRONIC DEVICES,
INCLUDING WIRELESS COMMUNICATION
DEVICES, PORTABLE MUSIC AND DATA
PROCESSING DEVICES, AND TABLET
COMPUTERS**


Inv. No. 337-TA-794

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

(September 14, 2012)

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-794

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

Administrative Law Judge E. James Gildea

(September 14, 2012)

Appearances:

*For the Complainants Samsung Electronics Co., Ltd. and Samsung Telecommunications
America, LLC:*

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

Victoria Maroulis, Esq. of Quinn Emanuel Urquhart & Sullivan, LLP of Redwood Shores,
California

Robert Becher, Esq. of Quinn Emanuel Urquhart & Sullivan, LLP of Los Angeles,
California

Alan Whitehurst, Esq. and Marissa Ducca, Esq. of Quinn Emanuel Urquhart & Sullivan,
LLP of Washington, D.C.

Thomas D. Pease, Esq. of Quinn Emanuel Urquhart & Sullivan, LLP of New York, New
York

For the Respondent Apple Inc.:

William F. Lee, Esq. and Richard W. O'Neill, Esq. of WilmerHale LLP of Boston, Massachusetts

James L. Quarles, III, Esq.; Nina S. Tallon, Esq.; T. Spence Chubb, Esq.; and Gregory H. Lantier, Esq. of WilmerHale LLP of Washington, D.C.

Mark D. Selwyn, Esq. of WilmerHale LLP of Palo Alto, California

James M. Dowd, Esq. of WilmerHale LLP of Los Angeles, California

For the Commission Investigative Staff:

Lynn I. Levine, Esq., Director; David Lloyd, Esq., Supervisory Attorney; and Lisa Murray, 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, 76 Fed. Reg. 45860-61 (August 1, 2011), this is the Initial Determination of the Investigation in the Matter of Certain Electronic Devices, Including Wireless Communication Devices, Portable Music and Data Processing Devices, and Tablet Computers, United States International Trade Commission Investigation No. 337-TA-794. See 19 C.F.R. § 210.42(a).

With respect to Respondent Apple Inc., 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 electronic devices, including wireless communication devices, portable music and data processing devices, and tablet computers, by reason of infringement of one or more of claims 75-76 and 82-84 of United States Patent No. 7,706,348.

With respect to Respondent Apple Inc., 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 electronic devices, including wireless communication devices, portable music and data processing devices, and tablet computers, by reason of infringement of one or more of claims 9-16 of United States Patent No. 7,486,644.

With respect to Respondent Apple Inc., 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 electronic devices, including wireless communication devices, portable music and data processing devices, and tablet computers, by reason of infringement of one or more of claims 5, 9-10, and 13 of United States Patent No. 6,771,980.

With respect to Respondent Apple Inc., 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 electronic devices, including wireless communication devices, portable music and data processing devices, and tablet computers, by reason of infringement of one or more of claims 1-5 of United States Patent No. 7,450,114.

It is further held that a domestic industry does not exist that practices U.S. Patent Nos. 7,706,348, 7,486,644, 6,771,980 and 7,450,114.