

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN WIRELESS DEVICES WITH
3G CAPABILITIES AND COMPONENTS
THEREOF**

Inv. No. 337-TA-800

Notice

On this date, the administrative law judge issued the Final Initial Determination (“ID”) on the question of violation of section 337. A public version of the ID will be available within 30 days. Further, within 14 days, the administrative law judge will issue the Recommended Determination (“RD”) concerning the remedy that may be appropriate in the event that the Commission ultimately finds a violation of section 337. A public version of the RD will follow shortly thereafter.

As explained in the ID, no violation of section 337 has been found. The ID contains, among other things, the following conclusions:

1. The Commission has subject matter, personal, and *in rem* jurisdiction in this investigation.
2. The importation requirement is satisfied as to Nokia, Huawei, and ZTE.
3. Respondents’ accused products do not infringe asserted claims 1, 2, 3, and 5 of U.S. Patent No. 7,706,830; asserted claims 1, 2, 4, 6, 7, and 8 of U.S. Patent No. 8,009,636; asserted claims 6, 13, 20, 26, and 29 of U.S. Patent No. 7,502,406; asserted claims 2, 3, 4, 7, 8, 9, 10, 11, 14, 22, 23, 24, and 27 of U.S. Patent No. 7,706,332; asserted claims 1, 2, 3, 4, 5, 6, and 7

of U.S. Patent No. 7,970,127; asserted claims 16, 17, 18, and 19 of U.S. Patent No. 7,536,013 patent; or asserted claims 10, 11, 12, 13, 14, 15, 16, 17, and 18 of U.S. Patent No. 7,616,970 patent.

4. Respondents' accused products infringe asserted claims 1, 2, 3, 4, 5, 6, 7, 8, and 9 of the '970 patent.

5. It has not been shown by clear and convincing evidence that any asserted claim of the '830 patent, the '636 patent, the '406 patent, or the '332 patent is invalid.

6. It has been shown by clear and convincing evidence that asserted claims 1, 2, 3, 4, 5, 6, and 7 of the '127 patent; asserted claims 16, 17, 18, and 19 of the '013 patent; and asserted claims 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 of the '970 patent are invalid in light of prior art references.

7. The domestic industry requirement is satisfied as to all asserted patents.

8. Respondents have not shown that they are licensed under the asserted patents.

9. Respondents have not prevailed on any equitable or FRAND defense.



David P. Shaw
Administrative Law Judge

Issued: June 28, 2013