NOTICE OF COMMISSION DETERMINATION TO EXTEND THE DATE FOR DETERMINING WHETHER TO REVIEW AN INITIAL DETERMINATION GRANTING CERTAIN RESPONDENTS’ MOTION FOR SUMMARY DETERMINATION OF NO VIOLATION OF SECTION 337 AS TO CERTAIN PRODUCTS


ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (the “Commission”) has determined to extend until April 3, 2017, the date for determining whether to review a February 27, 2017, initial determination (the “ID”) (Order No. 69) granting certain respondents’ motion for summary determination of no violation of section 337 as to certain products in this investigation.

FOR FURTHER INFORMATION CONTACT: Ron Traud, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-3427. 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 SW., Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (https://www.usitc.gov). The public record for this investigation may be viewed on the Commission’s Electronic Docket Information System (“EDIS”) (https://edis.usitc.gov). Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on June 24, 2016, based on a complaint filed by Tessera Technologies, Inc.; Tessera, Inc.; and Invensas Corporation (collectively, “Tessera”). 81 FR 41344. The notice of investigation named several respondents, including Comcast Cable Communications, LLC; Comcast Cable Communications Management, LLC; and Comcast Business Communications, LLC (collectively, “Comcast”).
The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("section 337"), in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain semiconductor devices, semiconductor device packages, and products containing same by reason of infringement of one or more of U.S. Patent Nos. 6,856,007; 6,849,946; and 6,133,136. The Office of Unfair Import Investigations is not a party to this investigation.

On February 27, 2017, the ALJ issued the subject ID, which grants Comcast’s motion for summary determination of no violation of section 337 as to certain of Comcast’s rental products. On March 7, 2017, Tessera filed a petition seeking review of the subject ID. On March 14, 2017, Comcast filed a response to that petition.

The Commission is extending the date for determining whether to review the ID from March 29, 2017, to April 3, 2017.

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 part 210 of the Commission’s Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Lisa R. Barton
Secretary to the Commission

Issued: March 29, 2017