

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN ELECTRONIC DEVICES,
INCLUDING MOBILE PHONES,
TABLET COMPUTERS, AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1039

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW INITIAL
DETERMINATIONS GRANTING AN UNOPPOSED MOTION TO TERMINATE THE
INVESTIGATION WITH RESPECT TO CERTAIN CLAIMS**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (“ID”) (Order No. 19) and an amended initial determination (Order No. 20) of the presiding administrative law judge (“ALJ”) granting an unopposed motion to terminate claims 1, 6-7, 10-11, 17, 21, 27-28, 32, 36-43, 49, 51-54, 56-58, 60, 62, 69-70, 74-79, 84, 90, 96-101, and 106-107 of U.S. Patent No. 9,270,301 (“the ’301 patent”) and claims 17 and 18 of U.S. Patent No. 6,826,391 (“the ’391 patent”), from the investigation.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2392. 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, S.W., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on January 27, 2017, based on a complaint filed on behalf of Nokia Technologies Oy (“Nokia”) of Espoo, Finland. 82 FR 8626 (Jan. 27, 2017). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, by reason of infringement of certain claims of the ’301 patent, the ’391 patent, and U.S. Patent Nos. 7,415,247 and 6,393,260. The complaint further alleges that a domestic industry exists. The Commission’s notice of investigation named as respondent Apple Inc., a/k/a Apple Computer, Inc. of Cupertino, California. The Office of

Unfair Import Investigations is also participating in the investigation. This investigation was severed from Inv. No. 337-TA-1038. *See* Order No. 1 (Jan. 26, 2017).

On May 10, 2017, Nokia filed an unopposed motion seeking to terminate claims 1, 6-7, 10-11, 17, 21, 27-28, 32, 36-43, 49, 51-54, 56-58, 60, 62, 69-70, 74-79, 84, 90, 96-101, and 106-107 of the '301 patent and claims 17 and 18 of the '391 patent from the investigation. The ALJ issued an ID (Order No. 19) granting Nokia's motion on May 11, 2017. On May 15, 2017, Nokia filed a corrected motion because its original motion did not comply with Commission Rule 210.21(a)(1). That same day, the ALJ issued an amended ID (Order No. 20) granting Nokia's corrected motion.

No petitions for review were filed, and the Commission has determined not to review the IDs.

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 C.F.R. Part 210.

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', with a stylized flourish at the end.

Lisa R. Barton
Secretary to the Commission

Issued: May 30, 2017