

**UNITED STATES INTERNATIONAL TRADE COMMISSION**  
**Washington, D.C.**

**In the Matter of**

**CERTAIN MICROFLUIDIC DEVICES**

**Investigation No. 337-TA-1068**

**NOTICE OF COMMISSION DETERMINATION TO EXTEND THE DATE FOR  
DETERMINING WHETHER TO REVIEW AN INITIAL DETERMINATION (ORDER  
NO. 15)**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission (the “Commission”) has determined to extend the date for determining whether to review an initial determination (Order No. 15) (the “ID”) granting Complainants’ motion for summary determination that assignor estoppel precludes Respondent from challenging the validity of the asserted patents.

**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 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, telephone 202-205-1810.

**SUPPLEMENTARY INFORMATION:** On September 6, 2017, the Commission instituted this investigation based on a complaint filed by Bio-Rad Laboratories, Inc. of Hercules, CA; and Lawrence Livermore National Security, LLC of Livermore, CA (collectively, “complainants”). 82 FR 42115. The complaint (and supplement thereto) alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 based upon the importation into the United States, the sale for importation, or the sale within the United States after importation of certain microfluidic devices by reason of infringement of one or more of claims certain microfluidic devices by reason of infringement of one or more of claims 1-12 and 14-16 of U.S. Patent No. 9,500,664; claims 1-15 of U.S. Patent No. 9,089,844; claims 1-21 of U.S. Patent No. 9,636,682; claims 1-27 of U.S. Patent No. 9,649,635; and claims 1, 2, 4-8, and 14-21 of U.S. Patent No. 9,126,160. *Id.* The Commission’s Notice of Investigation named as the sole respondent 10X

Genomics, Inc. of Pleasanton, CA (“respondent”). *Id.* The Office of Unfair Import Investigations was also named as a party to this investigation. *Id.*

On March 5, 2018, the presiding administrative law judge issued Order No. 15, the subject ID, which grants complainants’ motion for summary determination that the doctrine of assignor estoppel precludes respondent from challenging the validity of the asserted patents. On March 13, 2018, respondent filed a petition for review of the ID.

The Commission has determined to extend the date for determining whether to review the ID from April 4, 2018, to April 9, 2018.

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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', enclosed within a large, stylized oval flourish.

Lisa R. Barton  
Secretary to the Commission

Issued: March 23, 2018