

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

**In the Matter of**

**CERTAIN MICROFLUIDIC SYSTEMS  
AND COMPONENTS THEREOF AND  
PRODUCTS CONTAINING SAME**

**Investigation No. 337-TA-1100**

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION TERMINATING THE INVESTIGATION WITH RESPECT TO  
CERTAIN PATENT CLAIMS**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined not to review Order No. 26, an initial determination (“ID”) granting an unopposed motion terminating this investigation with respect to certain patent claims.

**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 February 21, 2018, the Commission instituted this investigation based on a complaint filed by 10X Genomics, Inc. of Pleasanton, CA (“10X”). 83 FR 7491 (Feb. 21, 2018). The complaint 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, and the sale within the United States after importation of certain microfluidic systems and components thereof and products containing same by reason of infringement of one or more of claims 1–4, 6–9, 17, 20, 21, 23, 25, 27, 29, 31, and 33 of U.S. Patent No. 9,644,204 (“the ’204 patent”); claims 1, 2, 5, 8, 10, 11, 13, 15-17, 19, 21, and 22 of U.S. Patent No. 9,689,024 (“the ’024 patent”); claims 1–4, 6–9, 11, 12, 21, and 22 of U.S. Patent No. 9,695,468 (“the ’468 patent”); and claims 1–6, 8–11, 14–20, and 24–30 of U.S. Patent No. 9,856,530 (“the

'530 patent"). *Id.* The Commission's notice of investigation named as the sole respondent Bio-Rad Laboratories, Inc. of Hercules, CA. *Id.* The Office of Unfair Import Investigations is participating in this investigation. *Id.*

On November 29, 2018, 10X filed an unopposed motion pursuant to Commission Rule 210.21(a) (19 CFR 210.21(a)) requesting termination of this investigation as to claims 2, 8, 10, 11, 13, 16, and 21 of the '024 patent; claims 1, 2, 3, 4, 6, 7, 8, 9, 17, 20, 21, 23, and 25 of the '204 patent; claims 2, 3, 4, 11, 12, and 22 of the '468 patent; and claims 2, 3, 5, 6, 8, 9, 10, 15, 16, 17, 18, 20, 25, and 27 of the '530 patent. 10X's unopposed motion also withdrew its domestic industry allegations with respect to claims 12 and 19 of the '204 patent and claims 13, 14, 15, 16, 18, 19, 20, and 23 of the '468 patent. On November 30, 2018, the presiding administrative law judge issued Order No. 26, the subject ID, granting the motion. No party filed a petition seeking review of the subject ID. The Commission has determined not to review the ID.

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', written in a cursive style.

Lisa R. Barton  
Secretary to the Commission

Issued: December 20, 2018