

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

In the Matter of

**CERTAIN EARPIECE DEVICES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1121

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW INITIAL
DETERMINATIONS TERMINATING THE INVESTIGATION AS TO RESPONDENTS
APSKINS AND SUDIO AB BASED ON CONSENT ORDER STIPULATIONS AND
SETTLEMENT AGREEMENTS; ISSUANCE OF TWO CONSENT ORDERS**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (the “Commission”) has determined not to review the presiding administrative law judge’s (“ALJ”) initial determinations (“IDs”) (Order Nos. 8, 9) terminating the above-captioned investigation as to respondents APSkins and Sudio AB based on consent order stipulations and settlement agreements. The Commission has entered two consent orders.

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 <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <http://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 June 29, 2018, based on a complaint filed on behalf of Bose Corporation of Framingham, Massachusetts (“Bose”). 83 FR 30,776 (Jun. 29, 2018). The complaint alleges violations of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 (“section 337”), based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain earpiece devices and components thereof by reason of infringement of one or more of U.S. Patent Nos.: 9,036,852; 9,036,853; 9,042,590; 8,311,253;

8,249,287; and 9,398,364. The complaint further alleges that an industry in the United States exists as required by section 337. The Notice of Investigation named numerous respondents, including APSkins of Seattle, Washington; and Sudio AB of Stockholm, Sweden. The Office of Unfair Import Investigations (“OUII”) was named as a party in this investigation.

On October 3, 2018, Bose and APSkins filed a joint motion pursuant to Commission Rules 210.21(a)(2) and 210.21(b)(1) to terminate the investigation as to APSkins based on a consent order, including a consent order stipulation and proposed consent order, and a settlement agreement. That same day, Bose and Sudio AB filed a joint motion pursuant to Commission Rules 210.21(a)(2) and 210.21(b)(1) to terminate the investigation as to Sudio AB based on a consent order, including a consent order stipulation and proposed consent order, and a settlement agreement. OUII filed responses supporting the joint motions.

On October 19, 2018, the ALJ issued Order Nos. 8 and 9, granting both joint motions. The IDs each find that the respective motion, consent order stipulation, and proposed consent order, satisfy the requirements of Commission Rules 210.21(c)(3) and (c)(4). Each ID also finds that the respective motion and settlement agreement satisfy the requirements of Commission Rule 210.21(b)(1). Each ID further finds that termination of the investigation as to APSkins and Sudio AB would not be contrary to the public interest. No party petitioned for review of the IDs.

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.

Lisa R. Barton
Secretary to the Commission

Issued: