

**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 A COMMISSION DETERMINATION NOT TO REVIEW
TWO INITIAL DETERMINATIONS AND TO EXTEND THE TARGET DATE**

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 two initial determinations (“IDs”) of the presiding administrative law judge (“ALJ”): one initial determination (Order No. 18) finds respondent REVJAMS in default and the other initial determination (Order No. 19) extends the target date for completion of the investigation to January 10, 2020. The Commission has determined to further extend the target date to January 16, 2020.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW, Washington, DC 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, 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 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 (“Bose”) of Framingham, Massachusetts. 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 claims of U.S. Patent Nos.: 9,036,852 (“the ’852 patent”); 9,036,853 (“the ’853 patent”); 9,042,590 (“the ’590 patent”); 8,311,253 (“the ’253 patent”); 8,249,287 (“the ’287

patent”); and 9,398,364 (“the ’364 patent”). The complaint further alleges that an industry in the United States exists as required by section 337. The notice of investigation named fourteen respondents including REVJAMS of New York, New York. The Office of Unfair Import Investigations was also named as a party in this investigation.

On October 31, 2019, the Commission issued a general exclusion order, a limited exclusion order, and cease and desist orders with respect to one or more claims of the the ’852, ’853, ’590, ’287, and ’253 patents. The investigation was thereby terminated with respect to these five patents. That same day, the Commission also determined to remand the investigation in part to the ALJ for further proceedings with respect to the ’364 patent and extended the target date to December 2, 2019. The Commission’s remand order instructed the ALJ to issue a show cause order directed to REVJAMS and, if no response is filed in a timely manner, to issue an order finding REVJAMS in default.

Pursuant to the Commission’s remand order, on November 5, 2019, the ALJ issued Order No. 17, which required REVJAMS to show cause why it should not be found in default. On November 26, 2019, after REVJAMS failed to respond to the complaint and notice of investigation, and also failed to respond to Order No. 17, the ALJ issued Order No. 18, finding REVJAMS in default pursuant to 19 CFR 210.16. That same day, the ALJ also issued Order No. 19, extending the target date for completion of the investigation to January 10, 2020.

No petitions for review were filed. The Commission has determined not to review the two subject IDs and to further extend the target date for completion of the investigation to January 16, 2020.

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: December 19, 2019