

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN UNMANNED AERIAL
VEHICLES AND COMPONENTS
THEREOF**

Investigation No. 337-TA-1133

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN
INITIAL DETERMINATION PARTIALLY TERMINATING
THE INVESTIGATION AS TO CERTAIN PATENT 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. 22) of the presiding Chief Administrative Law Judge (“CALJ”) partially terminating the investigation as to certain patent claims.

FOR FURTHER INFORMATION CONTACT: Houda Morad, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708-4716. 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, 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 October 2, 2018, based on a complaint filed by Autel Robotics USA LLC of Bothell, Washington (“Complainant”). *See* 83 FR 49575 (Oct. 2, 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 unmanned aerial vehicles and components thereof, by reason of infringement of certain claims of U.S. Patent Nos. 7,979,174 (“the ’174 patent”); 9,260,184 (“the ’184 patent”); and 10,044,013 (“the ’013 patent”). *See id.* The notice of investigation identifies the following respondents: SZ DJI Technology Co. Ltd. of Shenzhen, China; DJI Europe B.V. of Barendrecht, Netherlands; DJI Technology Inc. of Burbank, California; iFlight

Technology Co. Ltd. of Hong Kong; DJI Baiwang Technology Co. Ltd. of Shenzhen, China; DJI Research LLC of Palo Alto, California; DJI Service LLC of Cerritos, California; and DJI Creative Studio LLC of Burbank, California. *See id.* The Office of Unfair Import Investigations is not a party in this investigation. *See id.*

On September 25, 2019, Complainant filed an unopposed motion pursuant to Commission Rule 210.21(a)(1), 19 CFR 210.21(a)(1), to partially terminate the investigation based on the withdrawal of certain patent claims, namely: claims 2-6 and 15-16 of the '174 patent; claims 3, 4, and 11 of the '184 patent; and claims 6-7, 9, 11, 12, 21, and 24 of the '013 patent.

On September 30, 2019, the CALJ issued the subject ID (Order No. 22) granting Complainant's motion. In accordance with Commission Rule 210.21(a)(1), 19 CFR 210.21(a)(1), the CALJ noted that Complainant "certifie[d] that there are 'no agreements, written or oral, express or implied between the parties concerning the subject matter of this Investigation.'" *See ID* at 1. In addition, the CALJ found that "no extraordinary circumstances exist that would prevent the requested partial termination of this Investigation." *See id.* at 2.

No petition for review of the ID was filed. The Commission has determined not to review the subject 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.



Lisa R. Barton
Secretary to the Commission

Issued: October 17, 2019