

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN TOUCH-CONTROLLED
MOBILE DEVICES, COMPUTERS, AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1162

NOTICE OF INSTITUTION OF INVESTIGATION

Institution of investigation pursuant to 19 U.S.C. 1337

AGENCY: U.S. International Trade Commission

ACTION: Notice

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on May 22, 2019, under section 337 of the Tariff Act of 1930, as amended, on behalf of Neodron Ltd. of Dublin, Ireland. The complaint was amended on May 23, 2019. The complaint, as amended, alleges violations of 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 touch-controlled mobile devices, computers, and components thereof by reason of infringement of certain claims of U.S. Patent No. 8,432,173 (“the ’173 patent”); U.S. Patent No. 8,791,910 (“the ’910 patent”); U.S. Patent No. 9,024,790 (“the ’790 patent”); and U.S. Patent No. 9,372,580 (“the ’580 patent”). The amended complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The amended complaint, except for any confidential information contained therein, is 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., Room 112, Washington, D.C. 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (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>.

FOR FURTHER INFORMATION CONTACT: Katherine Hiner, Office of the Secretary, Docket Services Division, U.S. International Trade Commission, telephone (202) 205-1802.

SUPPLEMENTARY INFORMATION:

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.10 (2019).

SCOPE OF INVESTIGATION: Having considered the amended complaint, the U.S. International Trade Commission, on June 18, 2019, ORDERED THAT –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claims 1-19 of the '173 patent; claims 1-37 of the '910 patent; claims 1, 4-8, 10-14, and 16-24 of the '790 patent; and claims 1-12 of the '580 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is "touch-controlled mobile devices, including smartphone and tablet devices, computers, including notebook and laptop computers, and associated components thereof";

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

Neodron Ltd.
Unit 4-5
Burton Hall Road, Sandyford
Dublin 18, D18A094 Ireland

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the amended complaint is to be served:

Amazon.com, Inc.
410 Terry Avenue North
Seattle, WA 98109

Dell Technologies Inc.
One Dell Way
Round Rock, TX 78682
HP Inc.
1501 Page Mill Road
Palo Alto, CA 94304

Lenovo Group Ltd.
6 Chuang ye Road, Haidian District
Beijing 100085 China

Levono (United States) Inc.
1009 Think Place, Building One
Morrisville, NC 27560

Microsoft Corporation
One Microsoft Way
Redmond, WA 98052

Motorola Mobility LLC
222 W. Merchandise Mart Plaza
Suite 1800
Chicago, IL 60654

Samsung Electronics Co., Ltd.
129 Samsung-Ro
Maetab-3dong, Yeongtong-gu
Suwon, 443-742 South Korea

Samsung Electronics America, Inc.
85 Challenger Rd.
Ridgefield Park, NJ 07660

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

The Office of Unfair Import Investigations will not be named as a party to this investigation.

Responses to the amended complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.13. Pursuant to 19 C.F.R. 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the amended complaint and the notice of investigation. Extensions of time for submitting responses to the amended complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the amended complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the amended complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the amended complaint and this notice and to enter an initial

determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

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: June 19, 2019