

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN MOBILE DEVICES WITH
MULTIFUNCTION EMULATORS**

Investigation No. 337-TA-1170

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN
INITIAL DETERMINATION TERMINATING CERTAIN CLAIMS FROM THE
INVESTIGATION**

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 an initial determination (“ID”) (Order No. 15) granting complainants’ motion to terminate certain claims from the investigation.

FOR FURTHER INFORMATION CONTACT: Amanda P. Fisherow, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2737. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket information system (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.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: The Commission instituted the present investigation on August 16, 2019, based on a complaint and supplement thereto filed by Dynamics Inc. of Cheswick, Pennsylvania. 84 FR 42009-10 (Aug. 16, 2019). The complaint, as supplemented, alleges violations of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“Section 337”), based upon the importation, sale for importation, and sale in the United States after importation of certain mobile devices with multifunction emulators that allegedly infringe certain claims of U.S. Patent Nos. 8,827,153 (“the ’153 patent”); 10,032,100 (“the ’100 patent”); 10,223,631 (“the ’631 patent”); and 10,255,545 (“the ’545 patent”). *Id.* The complaint further alleges that an industry in the United States exists or is in the process of being established, as required by Section 337. *Id.* at 84 FR 42010. The notice of investigation names Samsung Electronics Co., Ltd of Gyeonggi, Republic of Korea, and Samsung Electronics America, Inc. of Ridgefield Park, New Jersey, as respondents. The Office of Unfair Import Investigations was not named as a party to this investigation. *Id.*

On May 19, 2020, Complainant filed a unopposed motion to terminate claims 5, 6, and 8 of the '153 patent, claims 2, 3, 5, 7, 9-11, 13-17, 19, and 20 of the '100 patent, claims 2, 3, 5, 7, 9-13, 19, and 21 of the '631 patent, and claims 2, 4, and 6-16 of the '545 patent, by reason of withdrawal of the complaint allegations under 19 CFR 210.21(a).

On May 20, 2020, the presiding administrative law judge (“ALJ”) issued Order No. 15, granting Complainant’s motion. The ALJ found that there are no extraordinary circumstances that exist that would prevent the requested partial termination of the investigation. No party filed a petition for review of the ID.

The Commission has determined not to review this ID. Accordingly, the following claims are terminated from the investigation: claims 5, 6, and 8 of the '153 patent, claims 2, 3, 5, 7, 9-11, 13-17, 19, and 20 of the '100 patent, claims 2, 3, 5, 7, 9-13, 19, and 21 of the '631 patent, and claims 2, 4, and 6-16 of the '545 patent.

The Commission vote for this determination took place on June 15, 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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', with a stylized flourish at the end.

Lisa R. Barton
Secretary to the Commission

Issued: June 15, 2020