

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

In the Matter of

**CERTAIN ELECTRONIC DEVICES
WITH OPTICAL FILTERS AND
OPTICAL SENSOR SYSTEMS AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1187

**NOTICE OF COMMISSION DETERMINATION NOT TO
REVIEW AN INITIAL DETERMINATION TERMINATING THE
INVESTIGATION IN PART WITH RESPECT TO A CLAIM BASED
ON A PARTIAL WITHDRAWAL OF THE COMPLAINT**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined not to review an initial determination (“ID”) (Order No. 21) of the presiding administrative law judge (“ALJ”) granting complainant’s unopposed motion to terminate the investigation in part as to a claim.

FOR FURTHER INFORMATION CONTACT: Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-5468. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (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 on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on December 27, 2019, based on a complaint filed by Viavi Solutions Inc. of San Jose, California (“Viavi”). 84 FR 71464 (Dec. 27, 2019). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain electronic devices with optical filters and optical sensor systems and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 9,588,269 (“the ’269 patent”); 9,945,995; and 10,222,526. *Id.* The Commission’s notice of investigation named as respondents Optrontec Inc. of

Changwon, Republic of Korea; LG Electronics, Inc. of Seoul, Republic of Korea; LG Innotek Co., Ltd. of Seoul, Republic of Korea; and LG Electronics U.S.A., Inc. of Englewood Cliffs, New Jersey. *Id.* The Office of Unfair Import Investigations is participating in this investigation. *Id.*

On June 4, 2020, Viavi moved to terminate the investigation with respect to claim 8 of the '269 patent based on its partial withdrawal of the complaint. No party opposed the motion.

On June 11, 2020, the ALJ issued the subject ID, granting the motion and terminating the investigation with respect to that claim based on a partial withdrawal of the complaint. No petitions for review of the ID were received.

The Commission has determined not to review the subject ID. Claim 8 of the '269 patent is hereby terminated from the investigation.

The Commission vote for this determination took place on June 29, 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: June 30, 2020