

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

**In the Matter of**

**CERTAIN DIGITAL VIDEO-CAPABLE  
DEVICES AND COMPONENTS THEREOF**

**Investigation No. 337-TA-1224**

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN  
INITIAL DETERMINATION TERMINATING CERTAIN CLAIMS OF THE  
ASSERTED PATENTS AND U.S. PATENT NO. 9,436,809 IN ITS ENTIRETY**

**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. 26) terminating the investigation as to certain claims of the asserted patents and U.S. Patent No. 9,436,809 in its entirety.

**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](mailto: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 October 22, 2020, based on a complaint and supplement thereto filed by Koninklijke Philips N.V. of Eindhoven, Netherlands and Philips North America LLC of Cambridge, Massachusetts (collectively, “Complainants”). 85 FR 67373–74 (Oct. 22, 2020). The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation, sale for importation, and sale in the United States after importation of certain digital video-capable devices and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 9,436,809 (“the ’809 patent”); 9,590,977 (“the ’977 patent”); 10,091,186 (“the ’186 patent”); and 10,298,564 (“the ’545 patent”). *Id.* at 67373. The complaint further alleged that an industry in the United States exists or is in the process of being established, as required by section 337. *Id.* The notice of investigation named twenty-six respondents. *Id.* at 67374. The Office of Unfair Import Investigations was named as a party to this investigation. *Id.*

On April 15, 2021, the Commission determined to terminate the investigation as to asserted claims 1-3 and 8-10 of the '977 patent with respect to all named respondents based on withdrawal of the allegations in the complaint as to those claims. Order No. 19 (Mar. 29, 2021), *unreviewed by Comm'n Notice* (Apr. 15, 2021).

On May 12, 2021, the Commission determined to terminate the investigation as to asserted claims 2, 5, 6, 11, 12, 15, 17, 22, 23, 26, 49, 50, and 52-54 of the '809 patent; asserted claims 2-7, 13, and 15 of the '186 patent; asserted claims 2-11, 14, 20, and 22 of the '564 patent; and all remaining asserted claims (*i.e.*, claims 11, 12, and 14-20) of the '977 patent. Order No. 21 (April 14, 2021), *unreviewed by Comm'n Notice* (May 12, 2021).

On May 19, 2021, Complainants filed an unopposed motion to terminate claims 15, 16, and 28 of the '564 patent and the '809 patent in its entirety by reason of withdrawal of the complaint allegations under 19 CFR 210.21(a).

On May 20, 2021, the presiding administrative law judge ("ALJ") issued Order No. 26, granting Complainants' motion. The ID finds that the motion complies with the requirements of Commission Rule 210.21(a) (19 CFR 210.21(a)) and 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 15, 16, and 28 of the '564 patent and all remaining claims in the '809 patent.

The Commission vote for this determination took place on June 21, 2021.

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 21, 2021