

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

In the Matter of

**CERTAIN BAR CODE SCANNERS,
MOBILE COMPUTERS WITH BAR
CODE SCANNING CAPABILITIES,
SCAN ENGINES, AND COMPONENTS
THEREOF**

Investigation No. 337-TA-1285

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN
INITIAL DETERMINATION TERMINATING THE INVESTIGATION AS TO
CERTAIN ASSERTED 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. 19) of the presiding administrative law judge (“ALJ”), terminating the investigation as to: (1) claims 2, 3, 11, 13-15, 19, 20, 24, 27, 32, 34-37, 39, and 42-45 of U.S. Patent No. 7,568,628 (“the ’628 patent”); (2) claims 10, 12, 15, 16, 18, and 20 of U.S. Patent No. 7,770,799 (“the ’799 patent”); (3) claims 1-3, 11, 12, 14, and 18 of U.S. Patent No. 9,576,169 (“the ’169 patent”); and (4) claims 2, 4-8, 10, 13, 15, 16, 18, 20, 21, 23, 24, and 27-30 of U.S. Patent No. 10,721,429 (“the ’429 patent”) (all collectively, the “Withdrawn Claims”).

FOR FURTHER INFORMATION CONTACT: Benjamin S. Richards, Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 708-5453. 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: On November 4, 2021, the Commission instituted this investigation based on a complaint filed on behalf of Honeywell International Inc., Hand Held Products, Inc., and Metrologic Instruments, Inc. (collectively, “Complainants”), all of Charlotte, North Carolina. 86 FR 60915 (Nov. 4, 2021). 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 bar code scanners, mobile computers with bar code scanning capabilities, scan engines, and components thereof that infringe one of more claims of U.S. Patent No.

8,794,520 and the '628, '799, '169, and '429 patents. *Id.* The complaint also alleges that a domestic industry exists or is in the process of being established. *Id.* The Commission's notice of investigation named Zebra Technologies Corporation of Lincolnshire, Illinois and Symbol Technologies, Inc. of Holtsville, New York as respondents: *Id.* The Office of Unfair Import Investigations is participating in this investigation. *Id.*

On May 25, 2022, Complainants filed an unopposed motion to terminate the investigation as to the Withdrawn Claims based on the withdrawal of the allegations in the complaint specific to those claims.

On May 27, 2022, the ALJ issued the subject ID (Order No. 19) granting Complainants' motion for partial termination as to the Withdrawn Claims. The ID finds that the motion for termination satisfies Commission Rule 210.21(a)(1), 19 CFR 210.21(a)(1), and that no extraordinary circumstances exist that would prevent the requested partial termination. No petitions for review were filed.

The Commission has determined not to review the subject ID. Claims 2, 3, 11, 13–15, 19, 20, 24, 27, 32, 34–37, 39, and 42–45 of the '628 patent; claims 10, 12, 15, 16, 18, and 20 of the '799 patent; claims 1–3, 11, 12, 14, and 18 of the '169 patent; and claims 2, 4–8, 10, 13, 15, 16, 18, 20, 21, 23, 24, and 27–30 of the '429 patent are terminated from this investigation.

The Commission vote for this determination took place on June 13, 2022.

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 13, 2022