

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN AUDIO PLAYERS AND
COMPONENTS THEREOF (II)**

Investigation No. 337-TA-1330

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

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. 20) of the presiding administrative law judge (“ALJ”), terminating the investigation as to claims 2, 3, 11, 12, and 15 of U.S. Patent No. 11,024,311 (“the ’311 patent”) and claims 5, 10, and 15 of U.S. Patent No. 9,812,128 (“the ’128 patent”).

FOR FURTHER INFORMATION CONTACT: Ronald A. Traud, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3427. 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 September 15, 2022, based on a complaint filed on behalf of Google LLC of Mountain View, California. 87 FR 56701 (Sept. 15, 2022). The complaint alleged a violation 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 audio players and components thereof by reason of infringement of certain claims of the ’311 and ’128 patents and U.S. Patent Nos. 11,050,615 and 9,632,748. *Id.* The complaint further alleged that an industry in the United States exists as required by section 337. *Id.*

On March 24, 2023, pursuant to Commission Rule 210.21(a) (19 CFR 210.21(a)), Google

file an unopposed motion seeking to withdraw from the investigation claims 2, 3, 11, 12, and 15 of the '311 patent and claims 5, 10, and 15 of the '128 patent. Google also sought to terminate various claims asserted for domestic industry.

On March 27, 2023, the ALJ issued Order No. 20, the subject ID, which granted the motion. The ID found that the motion complied with the Commission's rules and no extraordinary circumstances warranted denying the motion. No party filed a petition for review of the subject ID.

The Commission has determined not to review the subject ID.

The following claims are hereby terminated from the investigation: claims 2, 3, 11, 12, and 15 of the '311 patent and claims 5, 10, and 15 of the '128 patent.

The Commission vote for this determination took place on April 10, 2023.

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: April 10, 2023