

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN SEMICONDUCTORS AND
DEVICES AND PRODUCTS
CONTAINING THE SAME, INCLUDING
PRINTED CIRCUIT BOARDS,
AUTOMOTIVE PARTS, AND
AUTOMOBILES**

Inv. No. 337-TA-1332

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION TERMINATING THE INVESTIGATION IN PART
BASED ON WITHDRAWAL OF CERTAIN 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 the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 11), granting complainant's motion for partial termination of the investigation based on withdrawal of claims 6, 7, 12, and 17 of U.S. Patent No. 9,575,895 ("the '895 patent"); claims 6, 8, 10, 16, and 17 of U.S. Patent No. 10,394,300 ("the '300 patent"); claims 6, 11, and 12 of U.S. Patent No. 8,775,833 ("the '833 patent"); claims 8-11, 12, and 16 of U.S. Patent No. 8,898,494 ("the '494 patent"); claims 2, 4-5, 12-13, and 20 of U.S. Patent No. 10,705,588 ("the '588 patent"); and claims 9-16, 21, and 22 of U.S. Patent No. 10,049,080 ("the '080 patent").

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, D.C. 20436, telephone 202-205-2392. 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 October 14, 2022, based on a complaint filed on behalf of Daedalus Prime LLC of Bronxville, NY ("Complainant"). 87 FR 62454 (Oct. 14, 2022).¹ The complaint, as supplemented, alleged

¹ A Corrected Notice of Institution was published on November 2, 2022. 87 FR 66208 (Nov. 2, 2022). The Corrected Notice of Institution omits the determination on whether an industry "is in the process of being established" from the investigation. *Id.* at 66209.

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 semiconductors and devices and products containing the same, including printed circuit boards, automotive parts, and automobiles by reason of infringement of one or more of claims 1-18 of the '833 patent; claims 1-18 of the '494 patent; claims 1-17 of the '895 patent; claims 1-24 of the '080 patent; claims 1-19 of the '300 patent; and claims 1-20 of the '588 patent. *Id.* at 62454-55. The complaint further alleged that an industry in the United States exists as required by the applicable Federal Statute. *Id.* The notice of investigation named as respondents: Avnet, Inc. of Phoenix, AZ; Digi-Key Electronics of Thief River Falls, MN; Mercedes-Benz Group AG and Mercedes-Benz AG, both of Germany; Mercedes-Benz USA, LLC of Sandy Springs, GA; Mouser Electronics, Inc. of Mansfield, TX; Newark of Chicago, IL; NXP Semiconductors N.V. of Netherlands; and NXP USA, Inc. of Austin, TX (collectively, "Respondents"). *Id.* at 62455. The Office of Unfair Import Investigations ("OUII") is also participating in this investigation. *Id.*

On December 12, 2022, Complainant filed a motion to withdraw their allegations of infringement with respect to claims 6, 7, 12, and 17 of the '895 patent, claims 6, 8, 10, 16, and 17 of the '300 patent, claims 6, 11, and 12 of the '833 patent, claims 8-11, 12, and 16 of the '494 patent, claims 2, 4-5, 12-13, and 20 of the '588 patent, and claims 9-16, 21, and 22 of the '080 patent. Respondents and OUII did not oppose the motion.

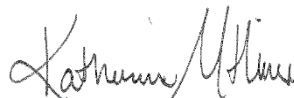
On December 13, 2022, the ALJ issued the subject ID (Order No. 11), granting Complainant's motion for partial termination of the investigation. The ID found that the motion complies with Commission Rule 210.21(a)(1), 19 CFR 210.21(a)(1), and there are no extraordinary circumstances preventing the withdrawal of the identified allegations. *See* ID at 2-3. No petition for review of the ID was filed.

The Commission has determined not to review the subject ID. Claims 6, 7, 12, and 17 of the '895 patent, claims 6, 8, 10, 16, and 17 of the '300 patent, claims 6, 11, and 12 of the '833 patent, claims 8-11, 12, and 16 of the '494 patent, claims 2, 4-5, 12-13, and 20 of the '588 patent, and claims 9-16, 21, and 22 of the '080 patent have been terminated from the investigation.

The Commission vote for this determination took place on January 11, 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.



Katherine M. Hiner
Acting Secretary to the Commission

Issued: January 12, 2023