

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

In the Matter of

**CERTAIN INTEGRATED CIRCUITS,
MOBILE DEVICES CONTAINING THE
SAME, AND COMPONENTS THEREOF**

Investigation No. 337-TA-1335

**NOTICE OF COMMISSION DECISION NOT TO REVIEW TWO INITIAL
DETERMINATIONS PARTIALLY TERMINATING THE INVESTIGATION
AS TO CERTAIN PATENT CLAIMS BASED ON WITHDRAWAL OF
THE COMPLAINT AS TO THOSE 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 two initial determinations (“IDs”) (Orders Nos. 31 and 32) of the presiding Administrative Law Judge (“ALJ”) terminating of the investigation as to certain patent claims based on withdrawal of the complaint as to those claims.

FOR FURTHER INFORMATION CONTACT: Houda Morad, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-4716. 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 October 19, 2022, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), based on a complaint filed by Daedalus Prime LLC of Bronxville, New York (“Complainant”). *See* 87 FR 63528-29 (Oct. 19, 2022). The complaint alleges a violation of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain integrated circuits, mobile devices containing the same, and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 8,775,833 (“the ’833 patent”); 8,898,494 (“the ’494 patent”); 10,049,080 (“the ’080 patent”); and 10,705,588 (“the ’588 patent”). *See id.* The notice of investigation names the following respondents: Samsung Electronics Co., Ltd. of Suwon-si, South Korea; Samsung Electronics America, Inc. of Ridgefield Park, New Jersey; and Qualcomm Inc. of San Diego, California (collectively, “Respondents”). *See id.* The Office of Unfair Import Investigations (“OUII”) is also a party to the investigation. *See id.*

On May 5 and 12, 2023, Complainant filed unopposed motions for partial termination of the investigation as to claim 2 of the '080 patent, claims 5 and 13-18 of the '833 patent, claims 8-19 of the '588 patent, and all asserted claims of the '494 patent, based on the withdrawal of the allegations in the complaint as to those claims. On May 17, 2023, OUII filed a response in support of Complainant's May 5 motion. No other response to the May 5 motion, and no response to the May 12 motion, were filed.

On May 18, 2023, the ALJ issued the subject IDs (Orders Nos. 31 and 32) granting the motions, respectively. In accordance with Commission Rule 210.21(a)(1), 19 CFR 210.21(a)(1), the motions represent that "there are no agreements, written or oral, express or implied between Complainant and Respondents concerning the subject matter of the Investigation relevant to the adjudication of th[ese] motion[s]." *See* Order No. 31 at 2; Order No. 32 at 2-3. In addition, the IDs find that "no extraordinary circumstances prevent termination" as to these claims. *See* Order No. 31 at 3; Order No. 32 at 3.

No petitions for review of the subject IDs were filed.

The Commission has determined not to review the subject IDs. Claim 2 of the '080 patent, claims 5 and 13-18 of the '833 patent, claims 8-19 of the '588 patent, and all asserted claims of the '494 patent are terminated from the investigation.

The Commission's vote for this determination took place on June 12, 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: June 12, 2023