

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

**In the Matter of**

**CERTAIN SEMICONDUCTOR  
DEVICES, MOBILE DEVICES  
CONTAINING THE SAME, AND  
COMPONENTS THEREOF**

**Investigation No. 337-TA-1336**

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION GRANTING A JOINT MOTION TO TERMINATE THE  
INVESTIGATION WITH RESPECT TO CERTAIN RESPONDENTS BASED ON  
SETTLEMENT**

**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. 52) of the presiding administrative law judge (“ALJ”) granting a joint motion to terminate the investigation with respect to certain respondents based on settlement.

**FOR FURTHER INFORMATION CONTACT:** Edward S. Jou, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3316. 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](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 this investigation on October 19, 2022, based upon a complaint filed on behalf of Daedalus Prime LLC (“Daedalus”) of Bronxville, New York. 87 FR 63524-25 (Oct. 19, 2022). The complaint, as supplemented, alleges violations 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 semiconductor devices, mobile devices containing the same, and components thereof by reason of the infringement of certain claims of U.S. Patent No. 9,831,306 (“the ’306 patent”); U.S. Patent No. 10,319,812 (“the ’812 patent”); U.S. Patent No. 10,700,178; and U.S. Patent No. 11,251,281. The Commission’s notice of investigation named as respondents Samsung Electronics Co., Ltd. of Suwon-si, Gyeonggi-do, Republic of Korea, and Samsung Electronics America, Inc. of Ridgefield Park, New Jersey (collectively, “Samsung”); and Taiwan Semiconductor

Manufacturing Company Limited of Hsinchu City, Taiwan, and TSMC North America of San Jose, California (collectively, “TSMC”). The Office of Unfair Import Investigations (“OUII”) is also a party in this investigation.

The Commission terminated the investigation in part as to the ’306 and ’812 patents on July 10, 2023. *See* Order No. 35 (June 9, 2023), *unreviewed by* Comm’n Notice (July 10, 2023).

On May 24, 2023, Daedalus and Samsung filed a first joint motion to terminate the investigation as to Samsung based on settlement and to limit service of the settlement agreement. On June 5, 2023, OUII filed a response to the first motion supporting the termination but raising concerns regarding redactions in the public version of the settlement agreement. On June 15, 2023, the ALJ issued Order No. 40 denying the first joint motion to terminate without prejudice, finding that the public version of the settlement agreement redacted material that did not appear to be confidential business information.

On July 5, 2023, Daedalus and Samsung filed a second joint motion (the “Motion”) to terminate the investigation as to Samsung based on settlement and to limit service of the settlement agreement. The Motion states that OUII does not oppose “in view of the attached less redacted version of the proposed public version [of the settlement agreement].” Motion at 4. On July 17, 2023, TSMC filed a response opposing the Motion with respect to the request to limit service. On August 4, 2023, TSMC filed a notice withdrawing its opposition.

On August 7, 2023, the ALJ issued the subject ID granting the Motion. The ALJ found that the Motion complies with the requirements of 19 CFR 210.21(b)(1), including the attachment of confidential and public versions of the parties’ settlement agreement. ID at 2. The ALJ also found “no evidence of any adverse impact on the public interest from the termination of Samsung.” *Id.* at 3. The ALJ granted the request for limited service of the settlement agreement. *Id.* at 3-4. No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID. The investigation is hereby terminated with respect to Samsung.

The Commission vote for this determination took place on September 5, 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: September 5, 2023