

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN ACTIVE MATRIX ORGANIC
LIGHT-EMITTING DIODE DISPLAY
PANELS AND MODULES FOR MOBILE
DEVICES, AND COMPONENTS THEREOF**

Investigation No. 337-TA-1351

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

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. 39) terminating the investigation as to certain claims of the asserted patents.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2737. 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, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: On February 3, 2023, the Commission instituted this investigation based on a complaint filed by Samsung Display Co., Ltd. of the Republic of Korea ("Samsung Display"). 88 FR 7463-64 (Feb. 3, 2023). The complaint, as amended, 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, or sale within the United States after importation of certain active matrix organic light-emitting diode display panels and modules for mobile devices, and components thereof by reason of the infringement of certain claims of U.S. Patent Nos. 9,818,803 ("the '803 patent"); 10,854,683 ("the '683 patent"); 7,414,599 ("the '599 patent"); 9,330,593 ("the '593 patent"); and 11,594,578 ("the '578 Patent"). *Id.*; 88 FR (Apr. 26, 2023). The Commission's notice of investigation named numerous respondents. The Office of Unfair Import Investigations ("OUII") was also named as a party in this investigation. *Id.*

On November 21, 2023, Samsung Display filed a motion for partial termination of the investigation based on the withdrawal of claims 1, 5, 17, and 18 of the '599 patent; claims 1, 7, 8, and 19 of the '593 patent; claims 4 and 20 of the '803 patent; claims 3, 8, and 11 of the '683 patent; and claims 2, 6, 14, 19, 21, 23, 44, and 52 of the '578 patent. ID at 1. The ID notes that claims 3 and 11 of the '683 patent and claim 14 of the '578 patent were asserted solely for domestic industry purposes and not for infringement. *Id.* at 1 n.1. OUII filed a response in support of the motion.

On December 7, 2023, the ALJ granted the unopposed motion. The ID found that the motion complies with the Commission Rules. *Id.* at 2 (citations omitted). The ID further found that there are no extraordinary circumstances that warrant denying the motion. *Id.* No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID. The following claims are terminated from the investigation: claims 1, 5, 17, and 18 of the '599 patent; claims 1, 7, 8, and 19 of the '593 patent; claims 4 and 20 of the '803 patent; claims 3, 8, and 11 of the '683 patent; and claims 2, 6, 14, 19, 21, 23, 44, and 52 of the '578 patent.

The Commission vote for this determination took place on January 8, 2024.

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: January 8, 2024