

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN WI-FI ROUTERS, WI-FI
DEVICES, WI-FI MESH NETWORK
DEVICES, AND HARDWARE AND
SOFTWARE COMPONENTS THEREOF**

Investigation No. 337-TA-1361

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION WITH RESPECT TO
NINE PATENT 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 an initial determination (“ID”) (Order No. 44) issued by the presiding administrative law judge (“ALJ”), terminating the investigation with respect to claims 18 and 20-22 of U.S. Patent No. 10,681,698 (“the ’698 patent”) and claims 13-17 of U.S. Patent No. 10,278,179 (“the ’179 patent”) based on the complainant’s withdrawal of the complaint as to those claims.

FOR FURTHER INFORMATION CONTACT: Robert J. Needham, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 708-5468. 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 May 8, 2023, based on a complaint filed by Netgear Inc. of San Jose, California (“Netgear”). 88 FR 29693-94 (May 8, 2023). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain Wi-Fi routers, Wi-Fi devices, mesh Wi-Fi network devices, and hardware and software components thereof by reason of infringement of certain claims of the ’698 patent; the ’179 patent; and U.S. Patent Nos. 7,936,714 (“the ’714 patent”); 9,468,025 (“the ’025 patent”); 10,356,681 (“the ’681 patent”); and

10,327,242 (“the ’242 patent”). *Id.* The complaint further alleges that a domestic industry exists. *Id.* The Commission’s notice of investigation named as respondents: TP-Link Technologies Co., Ltd. of Shenzhen China; TP-Link Corporation Limited, f/k/a TP-Link International Limited of Kowloon, Hong Kong; TP-Link USA Corporation of Irvine, California; and TP-Link Research Institute USA Corp. d/b/a TP-Link Research America Corp. of San Jose, California. *Id.* at 20552. The Office of Unfair Import Investigations is not participating in the investigation. *Id.*

The Commission previously terminated the investigation with respect to the ’025 patent; the ’242 patent; and the ’681 patent based on Netgear’s partial withdrawal of the complaint. Order No. 31 (Dec. 14, 2023), *unreviewed by* Comm’n Notice (Jan. 16, 2024). The Commission also previously terminated the following claims based on Netgear’s partial withdrawal of the complaint: claims 1-5, 14-17, and 31-32 of the ’714 patent; claims 1-11, 13, 14 and 16 of the ’698 patent; and claims 1-10, 12, 18, and 19 of the ’179 patent. Order No. 25 (Nov. 9, 2023), *unreviewed by* Comm’n Notice (Dec. 11, 2023); Order No. 40 (Jan. 10, 2024), *unreviewed by* Comm’n Notice (Feb. 7, 2024).

On January 19, 2024, Netgear filed an unopposed motion to terminate the investigation based on its withdrawal of the complaint with respect to claims 18 and 20-22 of the ’698 patent and claims 13-17 of the ’179 patent. The motion indicates that Netgear continues to assert claim 13 of the ’714 patent; claims 12, 15, 17, and 19 of the ’698 patent; and claim 11 of the ’179 patent. No party filed a response to the motion.

On January 22, 2024, the ALJ issued the subject ID pursuant to Commission Rule 210.21(a) (19 CFR 210.21(a)), granting the motion and terminating the investigation with respect to the withdrawn claims. Order No. 44 at 2 (Jan. 22, 2024). No party petitioned for review of the subject ID.

The Commission has determined not to review the subject ID. Claims 18 and 20-22 of the ’698 patent and claims 13-17 of the ’179 patent are hereby terminated from this investigation.

The Commission vote for this determination took place on February 15, 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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', enclosed within a large, stylized oval flourish.

Lisa R. Barton
Secretary to the Commission

Issued: February 15, 2024