

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

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

Investigation No. 337-TA-1361

**NOTICE OF COMMISSION DETERMINATION TO EXTEND THE DATE FOR
DETERMINING WHETHER TO REVIEW A FINAL INITIAL DETERMINATION**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to extend the date by which it must determine whether to review a final initial determination (“Final ID”) issued by the presiding administrative law judge (“ALJ”) in the above-captioned investigation to September 6, 2024.

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 on behalf of Netgear Inc. of San Jose, California. 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 U.S. Patent Nos. 7,936,714; 10,681,698; 10,278,179; 9,468,205; 10,327,242; and 10,356,681. *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 (collectively, “TP-Link”). *Id.* at 29693-94. The Office of Unfair Import Investigations is not participating in the investigation. *Id.* at 29694.

On May 30, 2024, the ALJ issued a Final ID finding a violation of section 337 with respect to claim 13 of the '714 patent and claims 12, 15, 17, and 19 of the '698 patent, but no violation with respect to claim 11 of the '179 patent. On June 11, 2024, TP-Link filed a petition for review of the Final ID. On June 20, 2024, Netgear Inc. filed a response opposing TP-Link's petition.

On August 21, 2024, Netgear Inc. filed a motion seeking a two-week extension of the date by which the Commission is to determine whether to review the Final ID. Netgear Inc. indicated that Netgear Inc. and TP-Link had sought and obtained a similar extension of procedural deadlines in a district court action to accommodate settlement discussions, and that an extension at the Commission would further accommodate those discussions and save public and private resources. On August 22, 2024, TP-Link opposed the extension, arguing that the mere existence of settlement discussions does not warrant extending the deadline.

In an effort to conserve public and private resources, the Commission has determined to extend the date for its determination on whether to review the Final ID to September 6, 2024. The Commission, however, will not continue to delay proceedings absent progress on settlement.

The Commission vote for this determination took place on August 23, 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: August 23, 2024