

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 TO AUTHORIZE JUDICIAL
ENFORCEMENT OF A SUBPOENA *DUCES TECUM* AND *AD TESTIFICANDUM***

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to authorize judicial enforcement of a subpoena issued by the presiding administrative law judge (“ALJ”) in this investigation, and has authorized its Office of the General Counsel to seek such enforcement

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. 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 20552. The Office of Unfair Import Investigations is not participating in the investigation. *Id.*

On June 13, 2023, an attorney at the law firm Latham & Watkins LLP (“Latham”) agreed to accept to service for a subpoena to nonparty Jean Francois Grenon. On August 18, 2023, the ALJ issued a subpoena *duces tecum* and *ad testificandum* to Mr. Grenon. That same day, counsel for TP-Link served that subpoena on Latham. Mr. Grenon has not responded to the subpoena in any manner.

On August 25, 2023, the attorney at Latham informed counsel for TP-Link that Latham has been unable to contact Mr. Grenon since June 12, 2023. On September 12, 2023, TP-Link moved for the ALJ to certify a request for judicial enforcement of the subpoena to Mr. Grenon.

On September 14, 2023, Latham filed a response taking no position on TP-Link’s motion. Latham did, however, agree that the subpoena was properly served, and again stated that it has been unable to contact Mr. Grenon since June of 2023.

On September 15, 2023, the ALJ granted the motion to certify to the Commission a request for judicial enforcement of the subpoena to Mr. Grenon pursuant to 19 C.F.R. 210.32(g). Order No. 15 (Sept. 15, 2023). The ALJ found that the subpoena was properly served on Mr. Grenon, sought relevant information, and is reasonable in scope. The ALJ further found that Mr. Grenon did not move to quash the subpoena and that no entity opposed the motion.

The Commission has authorized its Office of the General Counsel to seek judicial enforcement of the subpoena *duces tecum* and *ad testificandum* to Jean Francois Grenon.

The Commission vote for this determination took place on October 11, 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: October 11, 2023