

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN ELECTRONIC DEVICES,
INCLUDING MOBILE PHONES,
TABLETS, LAPTOPS, COMPONENTS
THEREOF, AND PRODUCTS
CONTAINING THE SAME**

Investigation No. 337-TA-1376

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO CERTAIN
PATENT CLAIMS BASED ON WITHDRAWAL OF THE COMPLAINT**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“the Commission”) has determined not to review an initial determination (“ID”) (Order No. 34) issued by the presiding administrative law judge (“ALJ”) granting the complainants’ unopposed motion to partially terminate the investigation with respect to all asserted claims (claims 11-14 and 16) of U.S. Patent No. 11,122,313 (“the ’313 patent”), claim 18 of U.S. Patent No. 9,313,178 (“the ’178 patent”), claims 9, 10, and 15 of U.S. Patent No. 10,972,654 (“the ’654 patent”), and claims 1-3, 7-10, 12-14, and 16 of U.S. Patent No. 9,509,273 (“the ’273 patent”), based on withdrawal of the complaint as to those claims.

FOR FURTHER INFORMATION CONTACT: Carl P. Bretscher, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-2382. 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: On November 17, 2023, the Commission instituted the present investigation based on a complaint, as supplemented, filed by Ericsson AB of Stockholm, Sweden and Telefonaktiebolaget LM Ericsson of Stockholm, Sweden (collectively “Ericsson”), alleging violations of section 337 of Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), due to the importation into the United States, sale for importation, or sale in the United States after importation of certain electronic devices, including mobile phones, tablets, laptops, components thereof, and products containing the same, that allegedly infringe

one or more of the asserted claims of U.S. Patent Nos. 7,151,430 (“the ’430 patent”), the ’313 patent, the ’178 patent, the ’654 patent, and the ’273 patent. 88 FR 80337-338 (Nov. 17, 2023). The complaint alleges that a domestic industry exists. *Id.* The notice of investigation names the following respondents: Motorola Mobility, LLC of Chicago, Illinois; Motorola (Wuhan) Mobility Technologies Communication Company Limited of Wuhan, China; Lenovo (United States) Inc. of Morrisville, North Carolina; Lenovo Group Limited of Hong Kong, SAR, China; Lenovo (Shanghai) Electronics Technology Co., Ltd. of Shanghai, China; Lenovo Beijing Co., Ltd. of Beijing, China; Lenovo PC HK Limited of Hong Kong, SAR, China; and Lenovo Information Products (Shenzhen) Co. Ltd. of Shenzhen, China (collectively, “Respondents”). *Id.* at 80337. The Office of Unfair Import Investigations is not a party to this investigation. *Id.*

On June 25, 2024, the Commission partially terminated the investigation with respect to the ’430 patent, asserted claims 1-5 of the ’178 patent, and asserted claims 1-4 and 6 of the ’313 patent, due to withdrawal of the complaint with respect to those claims. Order No. 29 (June 3, 2024), *unreviewed by* Comm’n Notice (June 25, 2024).

On July 5, 2024, the Commission partially terminated the investigation with respect to respondent Lenovo Group Limited for good cause because it does not import into the United States, sell for importation, or sell in the United States after importation any accused products. Order No. 30 (June 20, 2024), *unreviewed by* Comm’n Notice (July 5, 2024).

On July 15, 2024, Ericsson filed an unopposed motion to partially terminate the investigation by withdrawing all of the asserted claims (claims 11-14 and 16) of the ’313 patent, claim 18 of the ’178 patent, claims 9, 10, and 15 of the ’654 patent, and claims 1-3, 7-10, 12-14, and 16 of the ’273 patent.

On July 15, 2024, the presiding ALJ issued the subject ID (Order No. 34), granting Ericsson’s unopposed motion to partially terminate the investigation with respect to the withdrawn patent claims. Order No. 34 finds that the parties have no agreements, written or oral, express or implied, concerning the subject matter of this investigation, and there are no “extraordinary circumstances” that would otherwise justify denying termination, in accordance with Commission Rule 210.21(a)(1), 19 CFR 210.21(a)(1). The subject ID further finds that the public interest favors termination of withdrawn claims.

No party filed a petition for review of the subject ID.

The Commission has determined not to review, and thereby adopts, the subject ID. Accordingly, this investigation is partially terminated with respect to all of the asserted claims of the ’313 patent, claim 18 of the ’178 patent, claims 9, 10, and 15 of the ’654 patent, and claims 1-3, 7-10, 12-14, and 16 of the ’273 patent.

The Commission vote for this determination took place on August 5, 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, loopy oval flourish.

Lisa R. Barton
Secretary to the Commission

Issued: August 6, 2024