

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN VIDEO CAPABLE ELECTRONIC
DEVICES, INCLUDING COMPUTERS,
STREAMING DEVICES, TELEVISIONS, AND
COMPONENTS AND MODULES THEREOF**

Investigation No. 337-TA-1380

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION GRANTING IN PART RESPONDENTS'
MOTION FOR SUMMARY DETERMINATION**

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. 41) granting in part Respondents' motion for summary determination that the economic prong of the domestic industry requirement under section 337(a)(3)(C) is not satisfied for the asserted patents.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, D.C. 20436, telephone 202-205-2392. 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 December 6, 2023, based on a complaint filed on behalf of Nokia Technologies Oy of Finland and Nokia Corporation of Finland (collectively, "Nokia"). 88 FR 84830 (Dec. 6, 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 video capable electronic devices, including computers, streaming devices, televisions, and components and modules thereof by reason of the infringement of certain claims of U.S. Patent Nos. 7,724,818; 10,536,714; 11,805,267; 8,077,991; and 8,050,321. *Id.* The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute. *Id.* The Commission's notice of investigation names as respondents HP, Inc. of Palo Alto, CA ("HP"); Amazon.com, Inc. of

Seattle, WA; and Amazon.com Services, LLC of Seattle, WA (collectively, “Amazon”). *Id.* at 84831. The Office of Unfair Import Investigations is also a party in this investigation. *Id.*

On July 5, 2024, Respondents Amazon and HP moved for summary determination on issues of patent invalidity and domestic industry. On August 2, 2024, Complainant Nokia filed an opposition to the motion. On August 5, 2024, Respondents filed a motion for leave to file a reply. Nokia filed an opposition thereto on August 9, 2024.

On August 12, 2024, the ALJ issued the subject ID (Order No. 41) granting in part Respondents’ motion for summary determination. Specifically, the ID held that Nokia failed to show the economic prong of the domestic industry requirement under subsection (C) of section 337(a)(3) is satisfied for the asserted patents. No petitions for review were filed.

Having reviewed the record of the investigation, the Commission has determined not to review the subject ID.

The Commission vote for this determination took place on September 10, 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: September 10, 2024