

**UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, D.C.**

**In the Matter of**

**CERTAIN ELECTRONIC EYEWEAR  
PRODUCTS AND COMPONENTS  
THEREOF**

**Investigation No. 337-TA-1383**

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL  
DETERMINATION TERMINATING THE INVESTIGATION AS TO A  
RESPONDENT BASED ON A CONSENT ORDER;  
ISSUANCE OF A CONSENT ORDER**

**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. 56) of the presiding Administrative Law Judge (“ALJ”) granting an unopposed motion to terminate the investigation as to respondent ThirdEye Gen, Inc. (“ThirdEye”) of Princeton, New Jersey, based on entry of a consent order stipulation and a consent order. The Commission has issued a consent order as to respondent ThirdEye.

**FOR FURTHER INFORMATION CONTACT:** Houda Morad, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-4716. 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](mailto: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 December 27, 2023, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), based on a complaint filed by Ingeniospec, LLC (“Ingeniospec”) of San Jose, California. *See* 88 FR 89465-66 (Dec. 27, 2023). The complaint alleges a violation of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain electronic eyewear products and components thereof by reason of the infringement of certain claims of U.S. Patent Nos. 8,770,742; 10,310,296; 11,762,224; and 11,803,069. *See id.* In addition to ThirdEye, the notice of investigation names the following as respondents: Ampere LLC, Ampere Technologies, and GGTR LLC, all of Dover, Delaware; Gogotoro LLC of Brooklyn, New York; Zhuhai Wicue Technology Co., Ltd. of Zhuhai, China; Bose Corporation of Framingham, Massachusetts; Epson

America, Inc. of Los Alamitos, California; Seiko Epson Corporation of Nagano, Japan; Everysight Ltd. of Haifa, Israel; Everysight US Inc. of New York, New York; Quanta Computer Incorporated of Taoyuan City, Taiwan; Lenovo (United States), Inc. of Morrisville, North Carolina; Lenovo Group Limited of Hong Kong, China; Lenovo Information Products (Shenzhen) Co., Ltd. of Shenzhen, China; Lucyd Ltd. of London, United Kingdom; Innovative Eyewear, Inc. of North Miami, Florida; Luxottica Group S.p.A. of Milan, Italy; Luxottica of America, Inc. of Mason, Ohio; Magic Leap, Inc. of Plantation, Florida; Razer Inc. and Razer USA Ltd., both of Irvine, California; TCL Technology Group Corporation of Huizhou, China; TCL Electronics Holdings Limited of Hong Kong, China; Falcon Innovation Technology, (Shenzhen) Co., Ltd. of Shenzhen, China; Vuzix Corporation of West Henrietta, New York; XREAL, Inc. of Sunnyvale, California; EXREAL Technology Limited of Hong Kong, China; and Matrixed Reality Technology Co., Ltd. of Wuxi, China. *See id.* The Office of Unfair Import Investigations is not a party to the investigation. *See id.*

The Commission previously terminated respondents Lucyd Ltd.; Innovative Eyewear, Inc.; Everysight Ltd.; Everysight US Inc.; Quanta Computer Incorporated; Epson America, Inc.; Seiko Epson Corporation; Vuzix Corporation; Razer Inc.; Razer USA Ltd.; Zhuhai Wicue Technology Co., Ltd.; Ampere LLC; Ampere Technologies; GGTR LLC; Gogotero LLC; TCL Technology Group Corporation; TCL Electronics Holdings Limited; Falcon Innovation Technology, (Shenzhen) Co., Ltd.; Luxottica Group S.p.A. of Milan, Italy; and Luxottica of America, Inc. of Mason, Ohio, from the investigation based on settlement. *See* Order No. 17 (Jan. 31, 2024), *unreviewed by* Comm'n Notice (Feb. 29, 2024); Order No. 18 (Feb. 2, 2024), *unreviewed by* Comm'n Notice (Mar. 4, 2024); Order No. 24 (Feb. 27, 2024), *unreviewed by* Comm'n Notice (Mar. 21, 2024); Order No. 28 (Mar. 4, 2024), *unreviewed by* Comm'n Notice (Mar. 21, 2024); Order No. 35 (Mar. 20, 2024), *unreviewed by* Comm'n Notice (Apr. 17, 2024); Order No. 37 (Mar. 21, 2024), *unreviewed by* Comm'n Notice (Apr. 17, 2024); Order No. 39 (Apr. 1, 2024), *unreviewed by* Comm'n Notice (Apr. 26, 2024); Order No. 47 (May 10, 2024), *unreviewed by* Comm'n Notice (May 22, 2024).

On June 18, 2024, ThirdEye filed a renewed unopposed motion to terminate the investigation as to ThirdEye based on a consent order stipulation and a proposed consent order. No response to the motion was filed.

On June 20, 2024, the ALJ issued the subject ID (Order No. 56) granting the motion and terminating the investigation as to ThirdEye. The ID finds that the consent order stipulation and the proposed consent order comply with Commission Rule 210.21(c)(3)-(4), 19 CFR 210.21(c)(3)-(4). *See* ID at 2-3. In addition, the ID notes that, pursuant to Commission Rule 210.21(c), ThirdEye represents that "[t]here are no other agreements, written or oral, express or implied between the parties concerning the subject matter of the Investigation." *See id.* at 2. Furthermore, in accordance with Commission Rule 210.50(b)(2), 19 CFR 210.50(b)(2), the ID finds that "termination of the investigation as to ThirdEye is in the public interest, which favors settlement to avoid needless litigation and to conserve public resources." *See id.* at 3-4.

No petition for review of the subject ID was filed.

The Commission has determined not to review the subject ID and has issued a consent order as to ThirdEye.

The Commission's vote for this determination took place on July 8, 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: July 8, 2024