

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN CELLULAR BASE STATION
COMMUNICATION EQUIPMENT,
COMPONENTS THEREOF, AND
PRODUCTS CONTAINING SAME**

Investigation No. 337-TA-1388

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

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined not to review an initial determination (“ID”) (Order No. 34) of the presiding administrative law judge (“ALJ”) granting complainant’s unopposed motion to terminate the above-captioned investigation as to claims 7 and 17 of U.S. Patent No. 11,184,130 (“the ’130 patent”); claims 5-7 and 15-17 of U.S. Patent No. 11,601,896 (“the ’896 patent”); claims 8, 10, 11, and 17 of U.S. Patent No. 10,869,234 (“the ’234 patent”) based on partial withdrawal of the complaint.

FOR FURTHER INFORMATION CONTACT: Joelle Justus, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-2593. 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 January 25, 2024, based on a complaint filed by Motorola Mobility LLC (“Complainant”) of Chicago, Illinois. 89 FR 4993 (Jan. 25, 2024). 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 cellular base station communication equipment, components thereof, and products containing same by reason of infringement of one or more of claims 11 and 14-20 of the ’130 patent; claims 11-20 of the ’896 patent; claims 1-10 and 12-15 of U.S. Patent No. 11,284,466 (“the ’466 patent”); and claims 12-19 of the ’234 patent. *Id.* The Commission’s notice of investigation named as respondents Ericsson AB of Stockholm, Sweden; Telefonaktiebolaget LM Ericsson of Stockholm, Sweden; and Ericsson Inc. of Plano, Texas. *Id.* The Office of Unfair Import Investigations was also named as a party in this investigation. *Id.*

On June 28, 2024, the Commission determined not to review an initial determination (Order No. 14) granting Complainant's unopposed motion to terminate the investigation as to claims 4, 9, 14, and 19 of the '130 patent. Claims 4 and 9 were only asserted for purposes of meeting the domestic industry requirement. *See* Order No. 14 (June 5, 2024), *unreviewed by Comm'n Notice* (June 28, 2024).

On August 14, 2024, the Commission determined not to review an initial determination (Order No. 20) granting Complainant's unopposed motion to terminate the investigation as to claims 8, 10, 18, and 20 of the '130 patent; claims 1-4, 9, 11-14, and 19 of the '896 patent; claims 1-2, 4-7, 9-10, 12-13, and 15-17 of the '466 patent; and claims 1-6, 9, 12-15, and 18 of the '234 patent. *See* Order No. 20 (July 18, 2024), *unreviewed by Comm'n Notice* (Aug. 14, 2024).

On September 2, 2024, Complainant filed an unopposed motion to terminate the investigation as to claims 7 and 17 of the '130 patent; claims 5-7 and 15-17 of the '896 patent; and claims 8, 10, 11, and 17 of the '234 patent. Claim 7 of the '130 patent, claims 5-7 of the '896 patent, and claims 8, 10, and 11 of the '234 patent were only asserted for purposes of meeting the domestic industry requirement. No responses to the unopposed motion were filed.

On September 4, 2024, the ALJ issued the subject ID (Order No. 34), granting Complainant's unopposed motion to terminate the investigation as to the specified claims. The subject ID finds that the motion meets the requirements of Commission Rule 210.21(a) (19 CFR 210.21(a)), and that there are no extraordinary circumstances that would prevent the requested partial termination of the investigation. No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID. The following claims are hereby terminated from the investigation: claims 7 and 17 of the '130 patent; claims 5-7 and 15-17 of the '896 patent; and claims 8, 10, 11, and 17 of the '234 patent.

The Commission vote for this determination took place on September 26, 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 26, 2024