

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN COMPUTING DEVICES
UTILIZING INDEXED SEARCH
SYSTEMS AND COMPONENTS
THEREOF**

Investigation No. 337-TA-1389

**NOTICE OF 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 has determined not to review an initial determination (“ID”) (Order No. 15) of the presiding administrative law judge (“ALJ”) granting the complainant’s unopposed motion to terminate the above-captioned investigation as to claims 5, 8-11, 13, 15-16, and 20 of U.S. Patent No. 8,498,977 (“the ’977 patent”) and claims 1-7, 11-12, 14-17, and 19 of U.S. Patent No. 8,856,093 (“the ’093 patent”) based on partial withdrawal of the complaint as to those claims. The specified claims of the ’977 patent and the ’093 patent are terminated from the investigation.

FOR FURTHER INFORMATION CONTACT: Lynde Herzbach, Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3228. 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 January 29, 2024, 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 X1 Discovery, Inc. of Pasadena, California (“Complainant”). See 89 FR 5574-75 (Jan. 29, 2024). The complaint, as amended, alleges violations 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 computing devices utilizing indexed search systems and components thereof by reason of the infringement of certain claims of the ’977 patent and the ’093 patent. *Id.* The complaint also alleges that a domestic

industry exists. *Id.* The notice of investigation names seven respondents, including: ASUSTeK Computer Inc. of Taipei City, Taiwan; ASUS Computer International of Fremont, California; Acer Inc. of Xizhi, Taiwan; Acer America Corporation of San Jose, California; Dell Technologies Inc. and Dell Products, both of Round Rock, Texas; and Dell (Chengdu) Company Limited of Sichuan, China (“Dell Chengdu”). *Id.* The Office of Unfair Import Investigations is not participating in this investigation.

The Commission previously terminated respondent Dell Chengdu based on partial withdrawal of the complaint. Order No. 8 (May 6, 2024), *unreviewed by Comm’n Notice* (May 22, 2024).

On August 26, 2024, Complainant filed an unopposed motion to terminate the investigation as to claims 5, 8-11, 13, 15-16, and 20 of the ’977 patent and claims 1-7, 11-12, 14-17, and 19 of the ’093 patent based on partial withdrawal of the complaint. No response to the unopposed motion was filed.

On August 27, 2024, the ALJ issued the subject ID (Order No. 15) granting Complainant’s unopposed motion to terminate the investigation as to the specified claims of the ’977 patent and the ’093 patent. Order No. 15 (Aug. 27, 2024). The subject ID finds that Complainant’s 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 party petitioned for review of the subject ID.

The Commission has determined not to review the subject ID (Order No. 15). The investigation is terminated as to claims 5, 8-11, 13, 15-16, and 20 of the ’977 patent and claims 1-7, 11-12, 14-17, and 19 of the ’093 patent.

The Commission vote for this determination took place on September 23, 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 23, 2024