

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN MEMORY DEVICES AND
ELECTRONIC DEVICES CONTAINING
THE SAME**

Investigation No. 337-TA-1406

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION SETTING A 17-MONTH TARGET DATE**

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. 5) of the presiding administrative law judge (“ALJ”), setting a 17-month target date for completion of the above-captioned investigation of December 8, 2025.

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: The Commission instituted this investigation on July 9, 2024, based on a complaint filed by MimirIP LLC of Dallas, Texas. *See* 89 FR 56406-407 (July 9, 2024). The complaint, as supplemented, 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 memory devices and electronic devices containing the same by reason of the infringement of certain claims of U.S. Patent Nos. 7,468,928; 7,579,846; and 8,036,053. *Id.* The complaint further alleges that a domestic industry exists. *Id.* The Commission’s notice of investigation named as respondents Micron Technology Inc. of Boise, Idaho; Hewlett Packard Enterprise Co. of Spring, Texas; HP, Inc. of Palo Alto, California; Kingston Technology Company, Inc. of Fountain Valley, California; Lenovo Group Limited of Hong Kong; Lenovo (United States) Inc. of Morrisville, North Carolina; and Tesla Inc. of Austin, Texas. *Id.*

The Office of Unfair Import Investigations is participating in the investigation for issues relating to the economic prong of the domestic industry requirement, remedy, and public interest only. EDIS Doc. ID 826262 (July 17, 2024).

On July 22, 2024, the ALJ issued the subject ID (Order No. 5) setting a 17-month target date for completion of the investigation of December 8, 2025. Order No. 5 (July 22, 2024). Pursuant to this schedule, the final initial determination on violation will be due no later than August 8, 2025.

No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID (Order No. 5).

Accordingly, the target date is December 8, 2025, and the final initial determination is due no later than August 8, 2025.

The Commission vote for this determination took place on August 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.



Lisa R. Barton
Secretary to the Commission

Issued: August 8, 2024