

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

**In the Matter of**  
**CERTAIN COCHLEAR IMPLANT**  
**SYSTEMS AND COMPONENTS THEREOF**

**Investigation No. 337-TA-1418**

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION PARTIALLY TERMINATING THE INVESTIGATION BY  
WITHDRAWAL OF CERTAIN ASSERTED PATENT CLAIMS**

**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. 13) issued by the presiding administrative law judge (“ALJ”) granting complainants’ unopposed motion to partially terminate the investigation by withdrawing certain asserted patent claims.

**FOR FURTHER INFORMATION CONTACT:** Carl P. Bretscher, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-2382. 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:** The Commission instituted this investigation on September 23, 2024, based on a complaint filed by Advanced Bionics AG of Stafa, Switzerland and Advanced Bionics LLC of Valencia, California (collectively “Advanced Bionics”). 89 FR 77541-42 (Sept. 23, 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, sale for importation, or sale in the United States after importation of certain cochlear implant systems and components thereof by reason of infringement of certain asserted claims of U.S. Patent Nos. 7,317,945 (“the ’945 patent”) and 8,422,706 (“the ’706 patent”). *Id.* The complaint further alleges that a domestic industry exists. *Id.* The Commission’s notice of investigation names MED-EL Corporation, USA of Durham, North Carolina and MED-EL Elektromedizinische Gerate GmbH of Innsbruck, Austria. The Office of Unfair Import Investigations was also named as a party to this investigation. *Id.*

On April 4, 2025, Advanced Bionics filed an unopposed motion to terminate the investigation as to asserted claims 3, 5-8, 15-18, and 22 of the ’945 patent and asserted claims 3, 7-9, 14, 17, and 18 of the ’706 patent. No responses to the motion were filed.

On April 7, 2025, the ALJ issued the subject ID (Order No. 13), which granted Advanced Bionics's unopposed motion to withdraw the specified claims of the '945 patent and the '706 patent, pursuant to Commission Rule 210.21(a)(1), 19 CFR 210.21(a)(1). Order No. 13 (April 7, 2025). The subject ID finds there are no agreements, written or oral, express or implied, between the parties concerning the subject matter of this investigation, and there are no extraordinary circumstances that prevent terminating the investigation as to the specified claims of the '945 and '706 patents, in accordance with Commission Rule 210.21(a)(1). The subject ID also finds that the termination of the specified claims of the '945 and '706 patents would be in the public interest, as it would conserve public and private resources.

No party filed a petition for review of the subject ID.

The Commission has determined not to review, and thereby adopts, the subject ID. Accordingly, this investigation is terminated with respect to asserted claims 3, 5-8, 15-18, and 22 of the '945 patent and asserted claims 3, 7-9, 14, 17, and 18 of the '706 patent.

The Commission vote for this determination took place on April 21, 2025.

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: April 21, 2025