

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C. 20436

In the Matter of

**CERTAIN MOBILE ELECTRONIC DEVICES
INCORPORATING HAPTICS**

Investigation No. 337-TA-834

**NOTICE OF COMMISSION DECISION NOT TO REVIEW THE
ADMINISTRATIVE LAW JUDGE'S INITIAL DETERMINATION
AMENDING THE COMPLAINT AND NOTICE OF INVESTIGATION;
TERMINATION OF THE INVESTIGATION AS TO
45 ASSERTED PATENT CLAIMS**

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 the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 21) amending the complaint and notice of investigation in the above-captioned investigation. The amended complaint withdraws 45 asserted patent claims from the investigation.

FOR FURTHER INFORMATION CONTACT: Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2532. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.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 April 6, 2012, based on a complaint filed by Immersion Corporation of San Jose, California ("Immersion"), alleging a violation of section 337 by virtue of the infringement of claims of six patents: U.S. Patent Nos. 6,429,846 ("the '846 patent"); 7,592,999 ("the '999 patent"); 7,969,288 ("the '288 patent"); 7,982,720 ("the '720 patent"); 8,031,181 ("the '181 patent"); and 8,059,105 ("the '105 patent"). 77 Fed. Reg. 20847 (Apr. 6, 2012). The notice of institution

named four respondents: Motorola Mobility, Inc. of Libertyville, Illinois; Motorola Mobility Holdings, Inc. of Libertyville, IL (collectively, “Motorola”); HTC Corporation of Taoyuan, Taiwan; and HTC America, Inc. of Bellevue, Washington.

On October 3, 2012, Immersion moved for leave to amend its complaint (for the second time after institution, and the third time overall) and the notice of investigation (i) to change the name of respondent Motorola Mobility, Inc. to Motorola Mobility LLC; (ii) to remove respondent Motorola Mobility Holdings, Inc.; and (iii) to clarify which claims were being asserted in the investigation. The Motorola-related amendments are based on Motorola’s corporate reorganization. The clarification of asserted claims “align[s] the Third Amended Complaint with the current state of the investigation.” Mot. 2 (Oct. 3, 2012). This “alignment” constitutes a withdrawal of 45 of the 108 previously asserted patent claims (while adding none). In particular, the following claims have been withdrawn: claims 3, 5, and 6 of the ’846 patent; claims 3, 6, 10, 11, 15, and 16 of the ’999 patent; claims 19-26 of the ’288 patent; claims 7, 18, 25, 27, 28, 31, and 32 of the ’720 patent; claims 6, 7, 9, 13, 17, 19, 22, 25, 28, 31, and 34 of the ’181 patent; and claims 1-5, and 9-13 of the ’105 patent. Those claims are thereby terminated from the investigation. The patent claims that remain are recited in Table 1 of the Third Amended Complaint.

No responses to the motion were filed, and on November 15, 2012, the ALJ issued an initial determination (Order No. 21) granting the motion.

No petitions for review of the ID were filed. The Commission has determined not to review the ID.

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 sections 210.14 and 210.42 of the Commission’s Rules of Practice and Procedure (19 C.F.R. §§ 210.14, 210.42).

By order of the Commission.

/s/
Lisa R. Barton
Acting Secretary to the Commission

Issued: December 11, 2012