

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN MOBILE HANDSET
DEVICES AND RELATED TOUCH
KEYBOARD SOFTWARE**

Investigation No. 337-TA-864

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANTS' MOTION FOR PARTIAL
TERMINATION OF THE INVESTIGATION**

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 administrative law judge's ("ALJ") initial determination ("ID") (Order No. 9) granting a motion to partially terminate the investigation as to claims 3, 5, 7, 12, 13, and 32-38 of U.S. Patent No. 7,453,439, claims 5, 7-12, 17, 26, 27, 33, 34, 38-40, and 48-50 of U.S. Patent No. 7,098,896 and all asserted claims of U.S. Patent No. 7,075,520, and to terminate complainant ZI Corporation of Canada, Inc. from the investigation.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2392. 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 January 25, 2013, based on a complaint filed by Nuance Communications, Inc. of Burlington, Massachusetts; Swype, Inc. of Burlington, Massachusetts; Tegic Communications, Inc. of Burlington, Massachusetts; and ZI Corporation of Canada, Inc. of Burlington, Massachusetts ("ZI Corp."), alleging violations of section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) by reason of infringement of certain claims of U.S. Patent No. 7,750,891 ("the '891 patent"); U.S. Patent No. 7,453,439 ("the '439 patent"); U.S. Patent No. 7,098,896 ("the '896 patent"); U.S. Patent No. 7,075,520 ("the '520 patent"); and U.S. Patent No. 6,286,064 ("the '064 patent"). The notice of investigation named Shanghai HanXiang (CooTek) Information Technology Co.,

Ltd. of Shanghai, China and Personal Communications Devices, LLC of Hauppauge, New York as respondents.

On May 8, 2013, complainants filed an unopposed motion to partially terminate the investigation by withdrawing the allegations relating to claims 3, 5, 7, 12, 13, and 32-38 of the '439 patent, claims 5, 7-12, 17, 26, 27, 33, 34, 38-40, and 48-50 of the '896 patent and all asserted claims of the '520 patent. The motion also sought to terminate complainant ZI Corp. from the investigation because it no longer had an interest in the four remaining patents in suit.

On May 16, 2013, the ALJ issued an ID granting complainants' motion. The ALJ found that there is good cause for terminating the investigation as to claims 3, 5, 7, 12, 13, and 32-38 of the '439 patent, claims 5, 7-12, 17, 26, 27, 33, 34, 38-40, and 48-50 of the '896 patent and all asserted claims of the '520 patent. The ALJ also terminated complainant ZI Corp. from the investigation because it has no interest in the remaining patents in suit. The ALJ noted that complainants represented that there were no agreements, written or oral, express or implied between the parties concerning the subject matter of the investigation. Further, the ALJ is not aware of any extraordinary circumstances that would preclude granting the motion. The ALJ further found that "partial termination of the investigation is in the public interest, as public and private resources will be conserved." No petitions for review 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 section 210.42 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.42).

By order of the Commission.

A handwritten signature in black ink, appearing to read "Lisa R. Barton".

Lisa R. Barton
Acting Secretary to the Commission

Issued: June 5, 2013