

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 AS TO CERTAIN CLAIMS OF THE
ASSERTED PATENTS**

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. 19) granting a motion to partially terminate the investigation as to certain asserted patent claims.

FOR FURTHER INFORMATION CONTACT: Jia Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-4737. 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) 205-4737.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on January 25, 2013, based on a complaint filed by Nuance Communications, Inc. ("Nuance") of Burlington, Massachusetts; Swype, Inc. ("Swype") of Burlington, Massachusetts; Tegic Communications, Inc. ("Tegic") of Burlington, Massachusetts; and ZI Corporation of Canada, Inc. of Burlington, Massachusetts, 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 Nos. 7,750,891 ("the '891 patent"); 7,453,439 ("the '439 patent"); 7,098,896; 7,075,520 ("the 520 patent"); and 6,286,064. The '520 patent has been terminated from the investigation. The notice of investigation named Shanghai HanXiang (CooTek) Information Technology Co., Ltd.

("CooTek") of Shanghai, China and Personal Communications Devices ("PCD"), LLC of Hauppauge, New York as respondents. PCD has been terminated from the investigation.

On August 29, 2013, complainants Nuance, Swype, and Tegic ("complainants") filed an unopposed motion to partially terminate the investigation based on withdrawal of the allegations of infringement of the following claims: 36, 47, and 50-52 of the '891 patent, and 2, 6, 15, 30, 42, 43, 44, and 48 of the '439 patent. On September 5, 2013, the Commission investigative attorney filed a response in support of the motion.

On September 13, 2013, the ALJ issued the subject ID granting the motion. The ALJ found that partial termination of the investigation will streamline and simplify the factual and legal issues in the investigation without causing prejudice to sole remaining respondent CooTek. 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. Also, 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.



Lisa R. Barton
Acting Secretary to the Commission

Issued: October 21, 2013