

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

**In the Matter of**

**CERTAIN WIRELESS  
COMMUNICATIONS EQUIPMENT  
AND ARTICLES THEREIN**

**Investigation No. 337-TA-866**

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION GRANTING COMPLAINANTS' UNOPPOSED MOTION TO  
TERMINATE THE INVESTIGATION IN PART AS TO CERTAIN CLAIMS OF  
U.S. PATENT NO. 7,782,749**

**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. 35) granting the motion of complainants Samsung Electronics Co., Ltd. of Seoul, Republic of Korea, and Samsung Telecommunications America, LLC of Richardson, Texas (collectively "Samsung") to terminate the investigation in part as to claims 7-9 and 12-13 of U.S. Patent No. 7,782,749.

**FOR FURTHER INFORMATION CONTACT:** Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2301. 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 31, 2013, based on a Complaint filed by Samsung Electronics Co., Ltd. of Seoul, Republic of Korea, and Samsung Telecommunications America, LLC of Richardson, Texas (collectively "Samsung"). *78 Fed. Reg.* 6837-38 (Jan. 31, 2013). The complaint 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, and the sale within the United States after importation of certain wireless communications equipment and articles therein by reason of infringement of certain claims of U.S. Patent Nos. 7,782,749 ("the '749 patent"); 8,165,081;

8,208,438; 8,228,827; 6,617,929; 6,767,813 (“the ‘813 patent”); and 6,865,682. The complaint further alleges the existence of a domestic industry. The Commission’s notice of investigation named as respondents Ericsson Inc. of Plano, Texas and Telefonaktiebolaget LM Ericsson of Stockholm, Sweden (collectively “Respondents”). The Office of Unfair Import Investigations was also named as a party. The Commission previously terminated the investigation with respect to the ’813 patent. Notice (July 12, 2013); Order No. 30 (June 12, 2013).

On July 19, 2013, Samsung filed a motion pursuant to Commission Rule 210.21(a)(1) for partial termination of the investigation with respect to claims 7-9 and 12-13 of the ’749 patent. The motion indicated that Respondents and the Commission investigative attorney did not oppose the motion.

On July 24, 2013, the ALJ issued the subject ID, granting Samsung’s motion pursuant to section 210.21(a)(1) of the Commission’s Rules of Practice and Procedure (19 C.F.R. § 210.21(a)(1)). No petitions for review of this ID were filed.

The Commission has determined not to review the ID. Claims 1-6 and 10-11 of the ’749 patent remain pending in the investigation.

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.



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Lisa R. Barton  
Acting Secretary to the Commission

Issued: August 9, 2013