

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN WIRELESS DEVICES WITH 3G
AND/OR 4G CAPABILITIES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-868

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN
INITIAL DETERMINATION EXTENDING THE TARGET DATE**

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. 72) extending from June 4, 2014 to August 25, 2014 the target date for completion of the above-captioned investigation. By virtue of the shutdown of the Federal government, the target date is now September 10, 2014. *See* Order No. 74 (Oct. 18, 2013).

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 February 5, 2013, based on a complaint filed by InterDigital Communications, Inc. of King of Prussia, Pennsylvania, as well as InterDigital Technology Corporation, IPR Licensing, Inc., and InterDigital Holdings, Inc., each of Wilmington, Delaware (collectively, "InterDigital"). *78 Fed. Reg.* 8191 (Feb. 5, 2013). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended 19 U.S.C. § 1337, by reason of the infringement of 100 claims from seven United States Patents. The notice of institution named ten respondents.

On September 26, 2013, the ALJ issued the ID, which extended the target date for completion of the investigation by approximately two-and-a-half months, to August 25, 2014. The ID explained that good cause exists for the extension by virtue of the complexity of the investigation and the need for more trial time at the hearing. ID at 3-4. Following the sixteen-day shutdown of the Federal government, the ALJ issued an order explaining that the dates set in Order No. 72 would be tolled. Order No. 74 at 1 (Oct. 18, 2013); *see* Notice of Possible Shutdown of Commission's Investigative Activities, available at <http://www.usitc.gov/documents/shutdown2013plan.pdf> (Sept. 30, 2013) (tolling Commission investigative deadlines). As a result of the tolling, the extended target date is September 10, 2014, and the Final Initial Determination on Violation is due on May 12, 2014.

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 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', with a stylized flourish at the end.

Lisa R. Barton
Acting Secretary to the Commission

Issued: November 4, 2013