

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN INTEGRATED CIRCUIT
DEVICES AND PRODUCTS
CONTAINING THE SAME**

Investigation No. 337-TA-873

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANT'S MOTION FOR PARTIAL
TERMINATION OF THE INVESTIGATION AS TO CERTAIN CLAIMS AND
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 an initial determination ("ID") (Order No. 36) granting the motion of complainant Tela Innovations, Inc. of Los Gatos, California withdrawing certain patents and claims from the investigation.

FOR FURTHER INFORMATION CONTACT: Amanda Pitcher Fisherow, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2737. 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 (<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 March 15, 2013, based on a complaint filed by Tela Innovations, Inc. ("Tela") of Los Gatos, California. *77 Fed. Reg.* 22803-04 (Mar. 15, 2013). The complaint filed on February 8, 2013 alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, by reason of infringement of certain claims of U.S. Patent Nos. 8,264,049; 8,264,044 ("the '044 patent"); 8,258,550; 8,258,547 ("the '547 patent"); 8,217,428 ("the '428 patent"); 8,258,552; and 8,030,689. The complaint further alleges the existence of a domestic industry. The Commission's notice of investigation named Nokia Corporation (Nokia Oyj) of Espoo, Finland;

Nokia, Inc. of Sunnyvale, California (collectively, “Nokia”); HTC Corporation of Taoyuan, Taiwan; HTC America, Inc. of Bellevue, Washington; LG Electronics, Inc. of Seoul, Republic of Korea; LG Electronics U.S.A., Inc. of Englewood Cliffs, New Jersey; LG Electronics MobileComm U.S.A., Inc. of San Diego, California; Motorola Mobility LLC of Libertyville, Illinois; Pantech Co., Ltd. of Seoul, Republic of Korea; and Pantech Wireless, Inc. of Atlanta, Georgia as respondents. The Office of Unfair Import Investigations is also a party in this investigation.

On December 12, 2013, Tela filed an unopposed motion seeking partial termination of the investigation. Tela sought to withdraw its allegations for the '428 and '044 patents and claim 20 of the '547 patent. Tela represented that there were no agreements, written or oral, express or implied between the parties concerning the subject matter of the ID.

On December 16, 2013, the ALJ issued the subject ID granting Tela's motion. The ALJ found that no extraordinary circumstances prevent the withdrawal of the allegations relating to the '428 and '044 patents and claim 20 of the '547 patent. The ALJ further found that the withdrawal of some of the asserted claims will conserve resources and will facilitate the proceedings. No petitions for review were filed.

The Commission has determined not to review the subject 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 part 210 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210).

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: