

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 SUMMARY
DETERMINATION WITH RESPECT TO THE ECONOMIC PRONG OF THE
DOMESTIC INDUSTRY REQUIREMENT**

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. 32) granting the motion of complainant Tela Innovations, Inc. of Los Gatos, California ("Tela") that it has satisfied the economic prong of the domestic industry requirement.

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 (<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. 77 *Fed. Reg.* 22803-04 (Mar. 15, 2013). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, in the sale for importation, importation, or sale within the United States after importation of certain integrated circuit devices and products containing the same by reason of infringement of certain claims of U.S. Patent Nos. 8,264,049; 8,264,044; 8,258,550; 8,258,547; 8,217,428; 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 August 22, 2013, Tela filed a motion for summary determination that it has satisfied the economic prong of the domestic industry requirement under section 337(a)(3)(A), (B), and (C). On September 3, 2013, respondents filed responses in opposition of Tela's motion. That same day, the Commission investigative attorney responded in support of Tela's motion.

On October 21, 2013, the ALJ issued the subject ID, granting Tela's motion pursuant to section 210.18 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.18). The ALJ found that there are sufficient undisputed facts to support a finding that Tela has made significant investment in plant and equipment, significant investment in employment of labor, and substantial investment in research and development activities related to the asserted patents. 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. part 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: November 20, 2013