

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN DIGITAL MEDIA DEVICES,
INCLUDING TELEVISIONS, BLU-RAY
DISC PLAYERS, HOME THEATER
SYSTEMS, TABLETS AND MOBILE
PHONES, COMPONENTS THEREOF
AND ASSOCIATED SOFTWARE**

Investigation No. 337-TA-882

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO CERTAIN
CLAIMS**

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. 49) of the presiding administrative law judge (“ALJ”), as amended by the ALJ’s Order No. 50, terminating the investigation as to claims 17 and 19-20 of U.S. Patent No. 6,618,593 (“the ’593 patent”); claims 8, 16-17, 19, 22, and 27 of U.S. Patent No. 8,214,873 (“the ’873 patent”); and claims 1-4 of U.S. Patent No. 8,045,952 (“the ’952 patent”).

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2310. 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 June 18, 2013, based on a complaint filed by Black Hills Media, LLC of Wilmington, Delaware. 78 *Fed. Reg.* 36573-74. The complaint 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 the following U.S.

Patent Nos: 8,028,323 (“the ’323 patent”); 8,230,099 (“the ’099 patent”); 8,050,652 (“the ’652 patent”); the ’593 patent; the ’873 patent; and the ’952 patent. The complaint further alleges the existence of a domestic industry. The Commission’s notice of investigation named several respondents including Sharp Corporation of Osaka, Japan; Sharp Electronics Corporation of Mahwah, New Jersey (collectively, “Sharp”); Panasonic Corporation of Osaka, Japan; and Panasonic Corporation of North America of Secaucus, New Jersey (collectively, “Panasonic”). Google, Inc. has been added as an intervenor and Sharp has been terminated from the investigation. Also, the following claims or patents have been terminated from the investigation: (1) claims 1, 11, and 13 of the ’652 patent and claim 27 of the ’873 patent with respect to Panasonic; (2) the ’099 patent; (3) the ’323 patent; (4) claims 2, 6-7, 15, 18, 25-26, 31, 35-36, 44, and 46 of the ’873 patent; (5) claims 3-4, 6-7, 10, 42-45, 47-50, 52, and 55 of the ’652 patent; (6) claims 10-12 of the ’952 patent; (7) claims 1, 4, 10, 13-16, and 21 of the ’593 patent.

On March 11, 2014, complainant moved to terminate the investigation as to claims 17 and 19-20 of the ’593 patent; claims 1-4 of the ’952 patent; and claims 8, 16-17, 19, 22, and 27 of the ’873 patent. No party opposed the motion.

The ALJ issued the subject ID on March 12, 2014, granting the unopposed motion for partial termination. On the same date, the ALJ also issued Order No. 50 which corrected a typographical error in the subject ID by changing terminated claim “7” of the ’593 patent to claim “17.” In the subject ID, he found that the motion for partial termination satisfies Commission rule 210.21(a)(1). No party petitioned for review of the ID as amended by Order No. 50.

The Commission has determined not to review the ID as amended by the ALJ’s Order No. 50.

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.



Lisa R. Barton
Acting Secretary to the Commission

Issued: April 10, 2014