

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN RF CAPABLE INTEGRATED
CIRCUITS AND PRODUCTS
CONTAINING THE SAME**

Investigation No. 337-TA-982

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANT'S UNOPPOSED MOTION TO
TERMINATE THE INVESTIGATION AS TO CERTAIN PATENT CLAIMS AND
ALLEGATIONS BASED UPON PARTIAL WITHDRAWAL OF THE COMPLAINT**

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. 19) of the presiding administrative law judge ("ALJ") granting an unopposed motion to terminate the investigation as to the remaining claims, 1, 5-7, 11, and 14, of U.S. Patent No. 6,879,817 ("the '817 patent") and the remaining claims, 1, 4, and 5, of U.S. Patent No. 7,929,638 ("the '638 patent") based upon withdrawal of allegations pertaining to those claims from the complaint, including withdrawal of allegations of a domestic industry that practices those claims.

FOR FURTHER INFORMATION CONTACT: Panyin A. Hughes, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3042. 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 <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://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 Inv. No. 337-TA-982 on January 21, 2016, based on a complaint filed by ParkerVision, Inc. of Jacksonville, Florida ("ParkerVision"). 81 *Fed. Reg.* 3474-75 (Jan. 21, 2016). 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 RF capable integrated circuits and products containing the same by reason of infringement of certain claims of U.S. Patent No. 8,571,135 (terminated from the investigation);

U.S. Patent No. 9,118,528; the '817 patent; and the '638 patent. The notice of investigation named the following respondents: Apple Inc. of Cupertino, California; 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; Qualcomm Incorporated of San Diego, California; Samsung Electronics Co., Ltd. of Suwon-Shi, Republic of Korea; Samsung Electronics America, Inc. of Ridgefield Park, New Jersey; and Samsung Semiconductor, Inc. of San Jose, California. *Id.* at 3474. The Office of Unfair Import Investigations (OUII) is also a party to the investigation. *Id.* at 3475. After institution, LG Electronics U.S.A., Inc. and the Samsung respondents separately have been terminated from the investigation. *See* Notice (Aug. 18, 2016); Notice (Aug. 19, 2016).

On January 13, 2017, ParkerVision moved to terminate the investigation as to claims 1, 5-7, 11, and 14 (the remaining claims) of the '817 patent and claims 1, 4, and 5 (the remaining claims) of the '638 patent based upon withdrawal of allegations pertaining to those claims from the complaint, including withdrawal of allegations of a domestic industry that practices those claims. On January 26, 2017, the Commission investigative attorney filed a response in support of the motion. That same day, the respondents indicated that they do not oppose the motion.

On February 2, 2017, the ALJ issued the subject ID, granting the unopposed motion. The ALJ found that the motion complied with the requirements of Commission Rule 210.21(a)(1) (19 C.F.R. § 210.21(a)(1)) and further found that no extraordinary circumstances prohibited granting the motion. None of the parties petitioned for review of the ID.

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 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
Secretary to the Commission

Issued: February 22, 2017