

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN SEMICONDUCTOR DEVICES,
SEMICONDUCTOR DEVICE PACKAGES,
AND PRODUCTS CONTAINING SAME**

Investigation No. 337-TA-1010

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING SUMMARY DETERMINATION OF NO VIOLATION
OF SECTION 337 BY RESPONDENTS AVAGO TECHNOLOGIES LIMITED AND
AVAGO TECHNOLOGIES U.S. INC.**

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. 70) of the presiding administrative law judge (“ALJ”) granting a motion for summary determination of no violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, by respondents Avago Technologies Limited of Singapore and Avago Technologies U.S. Inc. of San Jose, California (collectively, “Avago”).

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Esq., 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 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 this investigation on June 24, 2016, based on a complaint filed on behalf of Tessera Technologies, Inc.; Tessera, Inc.; and Invensas Corporation, all of San Jose, California (collectively, “Tessera”). 81 *Fed. Reg.* 41344 (Jun. 24, 2016). 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 U.S. Patent Nos. 6,856,007; 6,849,946; and 6,133,136. The complaint further alleges that a domestic industry

exists. The Commission's notice of investigation named numerous respondents including Avago. The Office of Unfair Import Investigations is not participating in the investigation.

On January 26, 2017, Avago filed a motion for summary determination of no violation of section 337. *See* Order No. 70 at 1 (Feb. 27, 2017). Tessera filed a response in opposition on February 6, 2017. *Id.* Avago filed a reply brief on February 9, 2017. *Id.* On February 27, 2017, the ALJ issued the subject ID (Order No. 70) granting the motion and terminating Avago from the investigation. *Id.* at 3.

No petitions for review were filed, and 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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', written in a cursive style.

Lisa R. Barton
Secretary to the Commission

Issued: March 27, 2017