

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN INTEGRATED CIRCUITS
WITH VOLTAGE REGULATORS AND
PRODUCTS CONTAINING SAME**

Investigation No. 337-TA-1024

**NOTICE OF COMMISSION DETERMINATION TO AFFIRM AN INITIAL
DETERMINATION EXTENDING THE TARGET DATE**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined to affirm a July 30, 2019 initial determination (“ID”) (Order No. 58) extending the target date for the completion of this investigation until September 2, 2020.

FOR FURTHER INFORMATION CONTACT: Ron Traud, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone 202-205-3427. 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 SW., Washington, DC 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, telephone 202-205-1810.

SUPPLEMENTARY INFORMATION: On October 18, 2016, the Commission instituted this investigation based on a complaint filed by R2 Semiconductor, Inc. of Sunnyvale, California. 81 FR 71764 (Oct. 18, 2016). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”) based upon the importation into the United States, the sale for importation, or the sale within the United States after importation of certain integrated circuits with voltage regulators and products containing the same by reason of infringement of certain claims of U.S. Patent No. 8,233,250 (“the ’250 patent”). *Id.* The Commission’s notice of investigation named as respondents Intel Corporation of Santa Clara, California; Intel Ireland Ltd. of Leixlip, Ireland; Intel Products Vietnam Co., Ltd. of Ho Chi Minh City, Vietnam; Intel Israel 74 Ltd. of Haifa, Israel; Intel Malaysia Sdn. Berhad of Penang, Malaysia; Intel China, Ltd. of Beijing, China; Dell, Inc. of Round Rock, Texas; Dell

Technologies Inc. of Round Rock, Texas; HP Inc. of Palo Alto, California; and Hewlett Packard Enterprise Co. of Palo Alto, California (collectively, “Respondents”). *Id.* The Office of Unfair Import Investigations is participating in this investigation. *Id.*

On July 31, 2018, the Patent Trial and Appeal Board issued final written decisions in *inter partes* review proceedings, finding all asserted claims of the ’250 patent to be invalid. On August 16, 2018, Respondents filed an unopposed motion to stay this investigation pending appellate review of those decisions. On August 31, 2018, the administrative law judge (“ALJ”) granted that motion. *See* Order No. 55 (Aug. 31, 2018).

On July 26, 2019, the parties jointly moved to continue the stay. On July 29, 2019, the ALJ granted that motion. *See* Order No. 57 (July 26, 2019).

On July 30, 2019, the ALJ issued Order No. 58, the subject ID, which extends the target date for completion of this investigation from December 2, 2019, to September 2, 2020. The ID indicates that the final ID on violation will issue by May 4, 2020. No party filed a petition seeking review of the subject ID.

On August 22, 2019, the Commission determined to review the subject ID. Order Nos. 55 and 57 were not issued as initial determinations under Rule 210.42, 19 CFR 210.42, and as such, are not subject to review at this time. The Commission’s notice of review requested that the parties submit briefing justifying a target date extension based on continuing the stay of uncertain duration. On August 28, 2019, the private parties filed the requested briefing. OUII did not file a response to the Commission notice.

The Commission has determined to affirm 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 CFR part 210).

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: September 18, 2019