

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN AUDIO PROCESSING
HARDWARE, SOFTWARE, AND
PRODUCTS CONTAINING THE SAME**

Investigation No. 337-TA-1026

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING A MOTION FOR PARTIAL TERMINATION OF THE
INVESTIGATION; TERMINATION OF THE INVESTIGATION AS TO TWO
RESPONDENTS**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that in the above-captioned investigation the U.S. International Trade Commission has determined not to review the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 68), terminating the investigation as to two respondents.

FOR FURTHER INFORMATION CONTACT: Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2532. 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 (<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 October 25, 2016, based on a complaint filed by Andrea Electronics Corp. of Bohemia, New York ("Andrea"). 81 *Fed. Reg.* 73418 (Oct. 25, 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 three asserted patents. The Commission's notice of investigation named the following respondents: Apple Inc. of Cupertino, California ("Apple"); Samsung Electronics Co., Ltd. of Gyeonggi-do, Korea; and Samsung Electronics America, Inc. of Ridgefield Park, New Jersey (collectively, "Samsung"). The Office of Unfair Import Investigations is also a party in

this investigation.

On August 17, 2017, Andrea and Samsung filed a joint motion to terminate the investigation as to Samsung based upon a settlement agreement. *See* 19 CFR 210.21(b). Apple did not oppose the motion, and the Commission investigative attorney responded in support of the motion.

On August 22, 2017, the ALJ granted the motion as the subject ID (Order No. 68). The ID finds that the motion complies with Commission rules, *see* 19 CFR 210.21(b), 210.50(b)(2), and that the public interest is not adversely affected by granting the motion. ID at 1-2.

No petitions for review of the ID were filed. 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 Part 210 of the Commission's Rules of Practice and Procedure (19 CFR 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: September 13, 2017