

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN DATA TRANSMISSION
DEVICES, COMPONENTS THEREOF,
ASSOCIATED SOFTWARE, AND
PRODUCTS CONTAINING THE SAME**

Investigation No. 337-TA-1150

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TO TERMINATE THE INVESTIGATION WITH RESPECT TO
VERIZON COMMUNICATIONS, INC.**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (the “Commission”) has determined not to review an initial determination (“ID”) (Order No. 6) that terminates the investigation with respect to Verizon Communications Inc. (“VCI”) based on a stipulation.

FOR FURTHER INFORMATION CONTACT: Carl P. Bretscher, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2382. 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 (<https://www.usitc.gov>). The public record for this investigation may be viewed on the Commission’s Electronic Docket Information System (“EDIS”) (<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 April 5, 2019, the Commission instituted the present investigation based on a complaint filed by Data Scape Ltd. of Sandyford, Ireland, and C-Scape Consulting Corp. of Rockville Centre, New York (collectively, “Complainants”). 84 FR 13717 (April 5, 2019). The complaint alleges violations of 19 U.S.C. 1337, as amended (“Section 337”), in the importation, sale for importation, and sale in the United States after importation of certain data transmission devices, components thereof, associated software, and products containing the same that allegedly infringe one or more of the asserted claims of U.S. Patent Nos. 7,720,929; 7,617,537; and 8,386,581. *Id.* The notice of investigation named the

following respondents: VCI of New York, New York; Cellco Partnership d/b/a Verizon Wireless of Basking Ridge, New Jersey (“Verizon Wireless”); Apple Inc. of Cupertino, California; Amazon.com, Inc. of Seattle, Washington; and Amazon Digital Services, LLC of Seattle, Washington. The Office of Unfair Import Investigations (“OUII”) was also named as a party. *Id.*

On April 30, 2019, Complainants and respondents VCI and Verizon Wireless signed a stipulation, which states that VCI is a holding company and does not make, market, sell, offer for sale, advertise, import, sell before or after importation into the United States, or provide any other goods or services to the public, anywhere, including any of the products, services, or systems accused of infringement in the complaint. On the same date, VCI moved to terminate the investigation with respect to VCI based on the joint stipulation, pursuant to 19 CFR 210.21(a)(1). On May 7, 2019, Complainants joined the motion. On May 10, 2019, OUII filed a response in which it also supported the motion. No other response to the motion was filed.

On May 16, 2019, the presiding administrative law judge (“ALJ”) issued an initial determination (Order No. 6) granting the motion and terminating VCI from the investigation. The ALJ found that the motion exhibited “good cause” under 19 CFR 210.21(a), and that there are no extraordinary circumstances that warrant denying the motion.

No party filed a petition to review the subject ID. The Commission has determined not to review 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: June 12, 2019