

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN ELECTRONIC DEVICES,
INCLUDING STREAMING PLAYERS,
TELEVISIONS, SET TOP BOXES,
REMOTE CONTROLLERS, AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1200

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION PARTIALLY TERMINATING THE INVESTIGATION WITH
RESPECT TO CERTAIN WITHDRAWN PATENT CLAIMS**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined not to review an initial determination (“ID”) (Order No. 27) of the presiding administrative law judge (“ALJ”), granting complainant’s unopposed motion to partially terminate the investigation by withdrawing all asserted claims of U.S. Patent No. 9,716,853 (“the ’853 patent”) and certain claims of U.S. Patent Nos. 10,593,196 (“the ’196 patent”) and 7,589,642 (“the ’642 patent”). The investigation is hereby partially terminated with respect to the aforementioned claims.

FOR FURTHER INFORMATION CONTACT: Carl P. Bretscher, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-2382. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.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 May 22, 2020, based on a complaint filed by Universal Electronics, Inc. (“UEI”) of Scottsdale, Arizona. 85 FR 31211-212 (May 22, 2020). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“Section 337”), in the importation into the United States, sale for importation, or sale in the United States after importation of certain electronic devices, including streaming players, televisions, set top boxes, remote controllers, and components thereof, by reason of infringement of one of more of the asserted claims of the ’853 patent, the ’196 patent, the ’642 patent, and U.S. Patent Nos. 9,911,325 and 7,969,514. *Id.* The complaint further alleges that a domestic industry exists. *Id.*

The Commission's notice of investigation named the following respondents: Roku Inc. of Los Gatos, California; TCL Electronics Holdings Ltd. of New Territories, Hong Kong; Shenzhen TCL New Technology Co. Ltd. of Shenzhen, China; TCL King Electrical Appliances Co. Ltd., Huizhou, China; TTE Technology Inc. of Corona, California; TCL Corp. of Huizhou City, China; TCL Moka Int'l Ltd. of New Territories, Hong Kong; TCL Overseas Marketing Ltd. of New Territories, Hong Kong; TCL Industries Holdings Co., Ltd. of New Territories, Hong Kong; TCL Smart Device Co. of Bac Tan Uyen District, Vietnam; Hisense Co. Ltd. of Qingdao, China; Hisense Electronics Manufacturing Co. of America Corp. of Suwanee, Georgia; Hisense Import & Export Co. Ltd. of Qingdao, China; Qingdao Hisense Electric Co., Ltd. of Qingdao, China; Hisense International Co., Ltd. of Shen Wang, Hong Kong; Funai Electric Co., Ltd. of Osaka, Japan; Funai Corp. Inc. of Rutherford, New Jersey; and Funai Co., Ltd. of Nakhon Ratchasima, Thailand (collectively, "Respondents"). *Id.* The Office of Unfair Import Investigations is not participating in this investigation. *Id.*

On December 2, 2020, the presiding ALJ issued Order No. 27, granting UEI's unopposed motion to withdraw all asserted claims of the '853 patent, claims 19 and 20 of the '196 patent, and claims 14 and 20 of the '642 patent. Order No. 27 at 1 (Dec. 2, 2020). The ID finds that UEI's unopposed motion complies with the requirements of Commission Rule 210.21(a) (19 CFR 210.21(a)) in that there are no other agreements, oral or written, express or implied, between the parties regarding the subject matter of this investigation. *Id.* at 1-2. The ID further finds no extraordinary circumstances that would warrant denial of UEI's unopposed motion, which serves to narrow the scope of the investigation and simplify the issues before the ALJ. *Id.*

No petition for review of the subject ID was filed.

The Commission has determined not to review the subject ID. Accordingly, the following claims are hereby terminated from this investigation: all asserted claims of the '853 patent, claims 19 and 20 of the '196 patent, and claims 14 and 20 of the '642 patent.

The Commission vote for this determination took place on December 22, 2020.

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: December 23, 2020