

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN DIGITAL IMAGING
DEVICES AND PRODUCTS
CONTAINING THE SAME AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1231

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION GRANTING COMPLAINANT'S MOTIONS TO
TERMINATE THE INVESTIGATION AS TO TRADE SECRET MISAPPROPRIATION
AND CERTAIN 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. 18) of the presiding administrative law judge ("ALJ") granting the complainant's motions to terminate the investigation as to its allegations of trade secret misappropriation, infringement of claims 6–12 of U.S. Patent No. 6,838,651 ("the '651 patent"), and infringement of claims 2, 5, 8, 15, 18, and 21 of U.S. Patent No. 7,323,671 ("the '671 patent").

FOR FURTHER INFORMATION CONTACT: Ronald A. Traud, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3427. 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 December 1, 2020, based on a complaint filed on behalf of Pictos Technologies, Inc. of San Jose, California ("Pictos"). 85 FR 77238, 77238–39 (Dec. 1, 2020). The complaint, as amended, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain digital imaging devices and products containing the same and components thereof by reason of infringement of certain claims of the '651 and '671 patents and U.S. Patent Nos. 7,800,145 and 7,064,768. The amended complaint further alleges violations of

section 337 based upon the importation into the United States, or in the sale of certain digital imaging devices and products containing the same and components thereof by reason of misappropriation of trade secrets. *Id.* The complaint also alleges that an industry in the United States exists as required by section 337. *Id.* The Commission’s notice of investigation named as respondents Samsung Electronics Co., Ltd. of Republic of Korea; Samsung Electronics America, Inc. of Ridgefield Park, New Jersey; and Samsung Semiconductor, Inc. of San Jose, California (collectively, “Samsung”). *Id.* The Office of Unfair Import Investigations (“OUII”) is participating in the investigation. *Id.*

On May 19, 2021, Pictos moved under 19 CFR 210.21(a) to withdraw from the investigation its patent infringement allegations based on claims 6–12 of the ’651 patent and claims 2, 5, 8, 15, 18, and 21 of the ’671 patent. And, on May 21, 2021, Pictos further moved under 19 CFR 210.21(a) to withdraw from the investigation its allegations based on trade secrets misappropriation. On May 24, 2021, OUII filed a response in support of the motions. On May 25, 201, Samsung filed a response stating that it does not oppose the withdrawal of the allegations at issue.

On May 25, 2021, the ALJ issued Order No. 18, which includes the subject ID and which granted the motions. The ID found that the motions complied with the requirements of Commission Rule 210.21(a), 19 CFR 210.21(a). The ID also found that there are no extraordinary circumstances that would prevent the requested partial terminations of this investigation. No petitions for review of the ID were received.

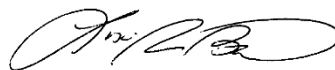
The Commission has determined not to review the subject ID.

Pictos’s allegations based on claims 6–12 of the ’651 patent, claims 2, 5, 8, 15, 18, and 21 of the ’671 patent, and trade secrets misappropriation are hereby terminated from this investigation.

The Commission vote for this determination took place on June 21, 2021.

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 21, 2021