

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN LAPTOPS, DESKTOPS,
SERVERS, MOBILE PHONES, TABLETS,
AND COMPONENTS THEREOF**

Investigation No. 337-TA-1280

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

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. 19) issued by the presiding administrative law judge (“ALJ”) partially terminating the investigation with respect to certain patent claims that were withdrawn by the complainant. The subject patent claims are hereby terminated from this investigation.

FOR FURTHER INFORMATION CONTACT: Carl P. Bretscher, 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: On September 7, 2021, the Commission instituted this investigation based on a complaint, as amended, filed by Sonrai Memory Ltd. of Carrickmines, Ireland (“Sonrai”). 86 FR 50170-71 (Sept. 7, 2021). The complaint alleges a violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain laptops, desktops, servers, mobile phones, tablets, and components thereof that infringe claims 1-18 of U.S. Patent No. 8,193,792; claims 1, 3-6, 8, 10, 13-14, 16-21, 25-27, 45, 47-50, 54-58, and 60 of U.S. Patent No. 7,159,766 (“the ’766 patent”); and claims 1-3, 6-7, 9, 11-15, 17-18, 20-23, and 25 of U.S. Patent No. 7,325,733 (“the ’733 patent”). *Id.* at 50170. The complaint alleges that a domestic industry exists or is in the process of being established. *Id.*

The Commission's notice of investigation named ten respondents: Amazon.com Inc. of Seattle, Washington; Dell Technologies Inc. of Round Rock, Texas; EMC Corporation of Round Rock, Texas; Lenovo Group Ltd. of Beijing, China; Lenovo (United States) Inc. of Morrisville, North Carolina; Motorola Mobility LLC of Chicago, Illinois; LG Electronics Inc. of Seoul, South Korea; LG Electronics USA, Inc. of Englewood Cliffs, New Jersey; Samsung Electronics Co., Ltd. of Gyeonggido, South Korea; and Samsung Electronics America, Inc. of Ridgefield Park, New Jersey. *Id.* at 50171. The Office of Unfair Import Investigations is participating in this investigation. *Id.*

The Commission previously determined to partially terminate the investigation with respect to sixteen patent claims that were withdrawn by the complainant. Order No. 12 (Dec. 9, 2021), *unreviewed by* Comm'n Notice (Dec. 15, 2021).

On February 22, 2022, Sonrai filed an unopposed motion to partially terminate the investigation with respect to claims 3, 5, 10, 14, 16, 25, 26, 45, 47, 49, 54, 55, and 60 of the '766 patent and claims 2, 6, 11, 13-15, 18, 22, and 23 of the '733 patent by reason of the complainant's withdrawal of such claims.

On February 28, 2022, the presiding ALJ issued the subject ID (Order No. 19) granting the motion and terminating the investigation with respect to the patent claims at issue, pursuant to Commission Rule 210.21(a) (19 CFR 210.21(a)). The ALJ found that termination of those claims would simplify discovery and the issues to be briefed by the parties; that there are no other agreements, oral or written, express or implied, between the parties concerning the subject matter of the investigation; and that there are no extenuating circumstances that warrant denial of complainant's motion for partial termination.

No party filed a petition for review of the subject ID.

The Commission vote for this determination took place on March 21, 2022.

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: March 22, 2022