

**UNITED STATES INTERNATIONAL TRADE COMMISSION**  
**Washington, D.C.**

**In the Matter of**

**CERTAIN AUDIO PLAYERS AND  
COMPONENTS THEREOF (I)**

**Investigation No. 337-TA-1329**

**NOTICE OF A 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 has determined not to review the presiding administrative law judge’s (“ALJ”) initial determination (“ID”) (Order No. 15) partially terminating this investigation with respect to asserted claims 5 and 13 of U.S. Patent No. 10,593,330 (“the ’330 patent”) and claims 3, 7, 11, 15, and 18 of U.S. Patent No. 10,134,398 (“the ’398 patent”).

**FOR FURTHER INFORMATION CONTACT:** Paul Lall, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2043. 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](mailto: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 September 15, 2022, based on a complaint filed by Google LLC of Mountain View, California (“Google”). 87 FR 56702-703 (Sept. 15, 2022). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, sale for importation, or sale within the United States after importation of certain audio players and components thereof by reason of infringement of certain claims of U.S. Patent No. 7,705,565 (“the ’565 patent”) and the ’330 and ’398 patents. *Id.* The complaint further alleges that a domestic industry exists. *Id.* The Commission’s notice of investigation names Sonos, Inc. (“Sonos”) of Santa Barbara, California as the respondent. *Id.* at

56703. The Office of Unfair Import Investigations was not named as a party to this investigation. *Id.*

The Commission previously terminated the investigation as to all asserted claims of the '565 patent based on partial withdrawal of the complaint. Order No. 7 (Oct. 18, 2022), *unreviewed by Comm'n Notice* (Nov. 3, 2022).

On January 25, 2023, Google filed a motion to partially terminate this Investigation with respect to asserted claims 5 and 13 of the '330 patent and asserted claims 3, 7, 11, 15, and 18 of the '398 patent. Sonos did not oppose the motion.

On March 16, 2023, the ALJ issued the subject ID (Order No. 15) granting Google's unopposed motion. ID at 3. The subject ID finds that Complainants meet the requirements of Commission Rule 210.21(a) (19 CFR 210.21(a)) and there are no extraordinary circumstances that would prevent the requested partial termination of the investigation. *Id.* at 2. In addition, the subject ID finds that termination of claims 5 and 13 of the '330 patent, and claims 3, 7, 11, 15, and 18 of the '398 patent "is in the public interest, as public and private resources will be conserved." *Id.*

No petitions for review of the subject ID were filed.

The Commission has determined not to review the subject ID. Claims 5 and 13 of the '330 patent, and claims 3, 7, 11, 15, and 18 of the '398 patent are hereby terminated from this investigation.

The Commission vote for this determination took place on March 30, 2023.

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 31, 2023