

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN INTEGRATED CIRCUITS,
MOBILE DEVICES CONTAINING THE
SAME, AND COMPONENTS THEREOF**

Investigation No. 337-TA-1335

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL
DETERMINATION PARTIALLY TERMINATING THE INVESTIGATION
AS TO CERTAIN PATENT CLAIMS BASED ON PARTIAL
WITHDRAWAL OF THE COMPLAINT**

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 an initial determination (“ID”) (Order No. 42) of the presiding Administrative Law Judge (“ALJ”) terminating of the investigation as to U.S. Patent No. 8,775,833 (“the ’833 patent”) and certain other patent claims based on withdrawal of the complaint as to those claims.

FOR FURTHER INFORMATION CONTACT: Houda Morad, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-4716. 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 October 19, 2022, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), based on a complaint filed by Daedalus Prime LLC of Bronxville, New York (“Complainant”). *See* 87 FR 63528-29 (Oct. 19, 2022). The complaint alleges a violation of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain integrated circuits, mobile devices containing the same, and components thereof by reason of infringement of certain claims of the ’833 patent and U.S. Patent Nos. 8,898,494 (“the ’494 patent”); 10,049,080 (“the ’080 patent”); and 10,705,588 (“the ’588 patent”). *See id.* The notice of investigation names the following respondents: Samsung Electronics Co., Ltd. of Suwon-si, South Korea Samsung Electronics America, Inc. of Ridgefield Park, New Jersey (collectively, “Samsung”); and

Qualcomm Inc. of San Diego, California (“Qualcomm”). *See id.* The Office of Unfair Import Investigations is also a party to the investigation. *See id.*

On June 12, 2023, the Commission terminated the investigation as to claim 2 of the ’080 patent, claims 5 and 13-18 of the ’833 patent, claims 8-19 of the ’588 patent, and all asserted claims of the ’494 patent, based on the withdrawal of the allegations in the complaint as to those claims. *See* Order No. 31 (May 18, 2023), *unreviewed by* Comm’n Notice (June 12, 2023); Order No. 32 (May 18, 2023), *unreviewed by* Comm’n Notice (June 12, 2023).

On July 19, 2023, the Commission terminated the investigation as to Samsung based on settlement. *See* Order No. 39 (June 21, 2023), *unreviewed by* Comm’n Notice (July 19, 2023).

On June 28, 2023, Complainant filed an unopposed motion to terminate the investigation as to claims 3, 5, and 6 of the ’080 patent and all asserted claims of the ’833 patent, based on the withdrawal of the allegations in the complaint as to those claims. No response to the motion was filed.

On June 30, 2023, the ALJ issued the subject ID (Order No. 42) granting the motion. In accordance with Commission Rule 210.21(a)(1), 19 CFR 210.21(a)(1), Complainant represents that “there are no agreements, written or oral, express or implied between Complainant and [Qualcomm] concerning the subject matter of the Investigation relevant to the adjudication of this motion.” *See* Order No. 42 at 3. In addition, the ID finds that “no extraordinary circumstances prevent termination” as to these claims. *See id.*

No petition for review of the subject ID was filed.

The Commission has determined not to review the subject ID. Claims 3, 5, and 6 of the ’080 patent and all asserted claims of the ’833 patent are terminated from the investigation.

The Commission’s vote for this determination took place on July 28, 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.

A handwritten signature in black ink, appearing to read "Lisa R. Barton", enclosed within a large, loopy oval flourish.

Lisa R. Barton
Secretary to the Commission

Issued: July 28, 2023