

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN VIDEO PROCESSING
DEVICES AND COMPONENTS
THEREOF**

Investigation No. 337-TA-1343

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING A MOTION FOR PARTIAL TERMINATION OF THE
INVESTIGATION WITH RESPECT TO CERTAIN ASSERTED 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. 53) granting an unopposed motion for partial termination of the investigation with respect to certain asserted patent claims.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, D.C. 20436, telephone 202-205-2392. 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 November 29, 2022, based on a complaint filed on behalf of DivX, LLC ("DivX") of San Diego, CA. 87 FR 73328 (Nov. 29, 2022). The complaint 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 video processing devices and components thereof by reason of infringement of claims 1-7 and 10-16 of U.S. Patent No. 11,050,808 ("the '808 patent"); claims 1, 2, and 4 of U.S. Patent No. 8,832,297 ("the '297 patent"); claims 29-32 of U.S. Patent No. 7,295,673 ("the '673 patent"); claims 1-11 of U.S. Patent No. 10,225,588 ("the '588 patent"); and claims 11-13 and 15-17 of U.S. Patent No. 11,102,553 ("the '553 patent"). *Id.* The complaint further alleges that a domestic industry exists. *Id.* at 62568. The Commission's notice of investigation named Amazon.com, Inc.

(“Amazon”) of Seattle, WA and VIZIO, Inc. (“VIZIO”) of Irvine, CA as respondents. *Id.* The Office of Unfair Import Investigations is not a party in this investigation. *Id.*

DivX’s allegations with respect to the ’808 patent were terminated as to respondent Amazon. *See* Order No. 30 (Aug. 21, 2023), *unreviewed by* Comm’n Notice (Sept. 18, 2023).

Respondent VIZIO was terminated from the investigation. *See* Order No. 33 (Sept. 11, 2023), *unreviewed by* Comm’n Notice (Oct. 11, 2023).

On December 15, 2023, Complainant DivX filed an unopposed motion for partial termination of the investigation with respect to claims 12, 13, 15, and 16 of the ’553 patent; claims 3, 4, 8, 9, and 10 of the ’588 patent; claim 4 of the ’297 patent; and claim 31 of the ’673 patent.

On December 20, 2023, the ALJ issued the subject ID (Order No. 53) granting DivX’s unopposed motion for partial termination of the investigation. The ID found the motion complied with the Commission’s Rules and “there are no extraordinary circumstances that warrant denying the motion.” ID at 2. No petitions for review were filed.

The Commission has determined not to review the subject ID. The investigation is terminated as to claims 12, 13, 15, and 16 of the ’553 patent; claims 3, 4, 8, 9, and 10 of the ’588 patent; claim 4 of the ’297 patent; and claim 31 of the ’673 patent.

The Commission vote for this determination took place on January 8, 2024.

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: January 9, 2024