

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN COMPUTING DEVICES
UTILIZING INDEXED SEARCH
SYSTEMS AND COMPONENTS
THEREOF**

Investigation No. 337-TA-1389

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN
INITIAL DETERMINATION EXTENDING THE TARGET DATE**

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. 28) of the presiding administrative law judge (“ALJ”) extending the target date for completion of the above-captioned investigation to June 26, 2025.

FOR FURTHER INFORMATION CONTACT: Lynde Herzbach, Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3228. 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 January 29, 2024, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based on a complaint filed by X1 Discovery, Inc. of Pasadena, California (“Complainant”). *See* 89 FR 5574-75 (Jan. 29, 2024). The complaint, as amended, alleges violations 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 computing devices utilizing indexed search systems and components thereof by reason of the infringement of certain claims of U.S. Patent Nos. 8,498,977 (“the ’977 patent”) and 8,856,093 (“the ’093 patent”). *Id.* The complaint also alleges that a domestic industry exists. *Id.* The notice of investigation names seven respondents, including: ASUSTeK Computer Inc. of Taipei City, Taiwan; ASUS Computer International of Fremont, California; Acer Inc. of Xizhi, Taiwan; Acer America Corporation of San Jose, California; Dell Technologies Inc. and Dell Products, both of Round Rock, Texas; and

Dell (Chengdu) Company Limited of Sichuan, China (“Dell Chengdu”). *Id.* The Office of Unfair Import Investigations is not participating in this investigation.

The Commission previously terminated respondent Dell Chengdu from the investigation based on partial withdrawal of the complaint. Order No. 8 (May 6, 2024), *unreviewed by* Comm’n Notice (May 22, 2024).

The Commission also previously terminated the investigation as to claims 5, 8-11, 13, 15-16, and 20 of the ’977 patent and claims 1-7, 11-12, 14-17, and 19 of the ’093 patent based on partial withdrawal of the complaint. Order No. 15 (Aug. 27, 2024), *unreviewed by* Comm’n Notice (Sept. 23, 2024).

The Commission previously affirmed an initial determination granting summary determination of noninfringement of the asserted claims of the ’977 patent. Order No. 18 (Sept. 3, 2024), *aff’d in part by* Comm’n Notice (Oct. 25, 2024). The ’977 patent was terminated from the investigation with a finding of noninfringement.

On December 11, 2024, the ALJ issued the subject ID (Order No. 28) extending the target date to June 26, 2025. Order No. 28 (Dec. 11, 2024). The subject ID finds that there is good cause for the extension based on a staffing conflict. The ID states that the final ID on violation will issue no later than February 26, 2025.

No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID (Order No. 25). Accordingly, the target date is June 26, 2025, and the final initial determination is due no later than February 26, 2025.

The Commission vote for this determination took place on January 6, 2025.

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 6, 2025