

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN MOBILE ELECTRONIC
DEVICES**

Investigation No. 337-TA-1432

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING IN PART COMPLAINANT'S MOTION FOR
SUMMARY DETERMINATION**

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. 18) of the presiding administrative law judge (“ALJ”) granting in part the complainant’s motion for summary determination concerning the respondents’ assertion of certain affirmative defenses.

FOR FURTHER INFORMATION CONTACT: Namo Kim, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3459. 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, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on January 23, 2025, based on a complaint filed by Maxell, Ltd. of Kyoto, Japan (“Maxell”). 90 FR 8032-33 (Jan. 23, 2025). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), based on the importation into the United States, the sale for importation, and the sale within the United States after importation of certain mobile electronic devices by reason of the infringement of certain claims of U.S. Patent No. 8,130,280; U.S. Patent No. 11,490,004; U.S. Patent No. 11,750,915; U.S. Patent No. 11,509,953 (“the ’953 patent”); U.S. Patent No. 12,108,103 (“the ’103 patent”) and U.S. Patent No. 11,445,241 (“the ’241 patent”). *Id.* The complaint further alleges that a domestic industry exists. *Id.* The notice of investigation names as respondents Samsung Electronics Co., Ltd. of Suwon-Shi, Republic of Korea and Samsung Electronics America, Inc. of Ridgefield Park, New Jersey (collectively, “Samsung”). *Id.* The Office of Unfair Import Investigations is not named as a party. *Id.*

On March 10, 2025, the Commission amended the complaint and notice of investigation to allege violation of section 337 based on infringement of additional claims 15 and 24 of the '241 patent. Order No. 6 (Feb. 21, 2025); *unreviewed by Comm'n Notice* (Mar. 10, 2025).

On August 11, 2025, Maxell filed a motion for summary determination that the '103, '241, and '953 patents are not unenforceable due to prosecution laches, and that collateral estoppel does not preclude Maxell's claim of infringement of the '241 Patent. Regarding prosecution laches, Maxell argued that "Samsung is limited to the facts that were disclosed during discovery and the record that has been developed is devoid of the necessary unreasonable delay and prejudice for Samsung's prosecution laches defense to continue any further." Memorandum in Support of Maxell, LTD.'s Motion for Summary Determination at 1. Regarding collateral estoppel, Maxell argued that while the district court at the Eastern District of Texas granted summary judgment of non-infringement of U.S. Patent No. 10,129,590 ("the '590 Patent," which is not asserted in this investigation) in a litigation involving the same parties and an overlapping set of accused products, this should not bar adjudication of the '241 patent. *Id.* at 1-2, 15-16 (citing *Maxell, Ltd. v. Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.*, Case No. 5:23-cv-92-RWS (E.D. Tex. 2023)). Maxell explained that while the '241 patent and the '590 patent are in the same family, the district court's summary judgement on the '590 patent concerned only a subset of accused products with materially different functionality, therefore the '241 patent should be adjudicated in this investigation. *Id.* at 1-2.

On August 21, 2025, Samsung filed an opposition to Maxell's motion for summary determination, arguing that the motion should be denied because there are disputed material facts. Regarding prosecution laches, Samsung argued there is "a factual dispute at the core of Samsung's prosecution laches defense [because] the claims of the '103, '241, and '953 patents all add substantive limitations for the first time that lack Section 112 written description support from their respective priority applications." Samsung's Response in Opposition to Complainant Maxell, LTD.'s Motion for Summary Determination at 5. Regarding collateral estoppel, Samsung argued that "the alleged difference in claim scope between the '590 and '241 patents is but one factual dispute that the ALJ must resolve in order to reach Samsung's collateral estoppel defense." *Id.* at 10.

On September 2, 2025, the ALJ issued the subject ID (Order No. 18) granting in part Maxell's motion for summary determination pursuant to Commission Rule 210.18(b), 19 CFR 210.18(b). Specifically, the ID grants summary determination that Samsung cannot sustain its prosecution laches defense. The ID finds that Samsung's only argument on this point is that a factual dispute exists as to whether certain limitations claimed in the asserted patents satisfy the written description requirement, but this is a distinct issue with "no clear connection to the reasonableness or excusability of the timing of Maxell's patent filings." ID at 3-4. Therefore, the ID finds that "Samsung has not met its burden and summary determination is warranted" on this issue. *Id.* at 4. The ALJ denied summary determination on the collateral estoppel issue. *Id.* at 5.

No petitions for review of the ID were filed.

The Commission has determined not to review the ID.

The Commission vote for this determination took place on September 25, 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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', enclosed in a thin black rectangular border.

Lisa R. Barton
Secretary to the Commission

Issued: September 25, 2025