

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

In the Matter of

**CERTAIN WEARABLE
ELECTROENCEPHALOGRAM
DEVICES AND SYSTEMS AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1458

**NOTICE OF 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 an initial determination (“ID”) (Order No. 28) of the presiding Administrative Law Judge (“ALJ”) terminating the investigation with respect to 63 patent claims based on a partial withdrawal of the complaint.

FOR FURTHER INFORMATION CONTACT: Robert Needham, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 708-5468. 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 August 11, 2025, based on a complaint filed by Ceribell, Inc. of Sunnyvale, California (“Ceribell”). 90 FR 38663-64 (Aug. 11, 2025). The complaint, as supplemented, 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 wearable electroencephalogram devices and systems and components thereof by reason of infringement of claims 1-7, 9-12, 16-18, 20, and 22-28 of U.S. Patent No. 9,820,670 (“the ’0670 patent”); claims 1-19 of U.S. Patent No. 12,150,769 (“the ’769 patent”); claims 1-4, 6, 7, 9-11, 14-21, 23-25, 28, and 29 of U.S. Patent No. 12,324,670 (“the ’4670 patent”); claims 1-4, 6, 8, 9, and 12-18 of U.S. Patent No. 12,336,826 (“the ’826 patent”); claims

1-5, 7, 8, 10-12, 15-18, 22, 24, and 27 of U.S. Patent No. 10,433,756 (“the ’756 patent”); and claims 1, 3-8, 10, 14, and 17-19 of U.S. Patent No. 11,357,434 (“the ’434 patent”). *Id.* at 38663. The complaint further alleges that a domestic industry exists or is in the process of being established. *Id.* The Commission’s notice of investigation named as respondents Natus Medical Incorporated of Middleton, Wisconsin; Excel-Tech Ltd. of Oakville, Ontario, Canada; and Natus Neurology Incorporated of Middleton, Wisconsin. *Id.* The Office of Unfair Import Investigations is participating in the investigation. *Id.*

The Commission previously terminated the investigation based on a withdrawal of the complaint with respect to: (1) claims 2, 5, 10, 11, 16, 18, 20, and 22 of the ’0670 patent; (2) claims 2, 11, and 13 of the ’769 patent; (3) claim 29 of the ’4670 patent; (4) claim 14 of the ’826 patent; (5) claims 2, 3, 5, 7, 8, 10, 11, 12, 15, 16, 17, and 18 of the ’756 patent; and (6) claims 4, 6 and 8 of the ’434 patent. Order No. 24 (Apr. 7, 2026), *unreviewed by Comm’n Notice* (Apr. 28, 2026).

On April 28, 2026, Ceribell moved to withdraw its allegations and terminate the investigation with respect to: (i) claims 3, 4, 7, 9, 12, 17, 23, 24, 26, and 27 of the ’0670 patent; (ii) claims 1, 3–10, 12, and 14–19 of the ’769 patent; (iii) claims 2, 3, 4, 6, 7, 9, 10, 14–18, 20, 21, 24, and 25 of the ’4670 patent”; (iv) claims 2, 3, 6, 8, 9, 13, 15, 16, 17, and 18 of the ’826 patent; (v) all remaining claims (claims 1, 4, 22, 24, and 27) of the ’756 patent; and (vi) claims 3, 5, 7, 10, 14, and 18 of the ’434 patent (collectively, the “Withdrawn Claims”). The motion indicated that no party opposed the motion, and Complainant stated that “there are no agreements, written or oral, express or implied, between the parties concerning the subject matter of the investigation.”

On May 4, 2026, the ALJ issued the subject ID granting the motion and terminating the investigation with respect to the Withdrawn Claims. No party petitioned for review of the subject ID.

The Commission has determined not to review the subject ID. The Withdrawn Claims are hereby terminated from the investigation.

The Commission vote for this determination took place on May 22, 2026.

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: May 22, 2026