

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C. 20436

In the Matter of

**CERTAIN 3G WIDEBAND CODE
DIVISION MULTIPLE ACCESS
(WCDMA) HANDSETS AND
COMPONENTS THEREOF**

Investigation No. 337-TA-601

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANTS' MOTION THAT THEIR
LICENSING ACTIVITIES IN THE UNITED STATES SATISFY THE DOMESTIC
INDUSTRY REQUIREMENT**

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. 20), granting complainants' motion that their licensing activities satisfy the domestic industry requirements of 19 U.S.C. § 1337(a)(3)(C).

FOR FURTHER INFORMATION CONTACT: Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2301. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.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 Inv. No. 337-TA-601 on April 27, 2007, based on a complaint filed by InterDigital Communications Corp. of King of Prussia, Pennsylvania and InterDigital Technology Corp. of Wilmington, Delaware (collectively, "InterDigital") on March 23, 2007. *72 Fed. Reg.* 21049 (April 27, 2007). The complaint, as amended, alleged violations of section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) in the

importation into the United States, the sale for importation, and the sale within the United States after importation of certain 3G wideband code division multiple access (“WCDMA”) handsets and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 6,674,791 (“the ‘791 patent”); 6,693,579 (“the ‘579 patent”); 7,117,004 (“the ‘004 patent”); 7,190,966 (“the ‘966 patent”); and 7,286,847 (“the ‘847 patent”). The notice of investigation named Samsung Electronics Co., Ltd. of Seoul, Korea; Samsung Electronics America, Inc. of Ridgefield Park, New Jersey; and Samsung Telecommunications America LLC of Richardson, Texas (collectively, “Samsung”) as respondents.

On October 24, 2007, the ALJ consolidated Inv. No. 337-TA-601 with Inv. No. 337-TA-613. On May 16, 2008, the ALJ issued Order No. 33, granting InterDigital’s motion to separate the investigations and setting new dates for the evidentiary hearing in Inv. No. 337-TA-601.

On March 7, 2008, the Commission determined not to review an ID by the ALJ granting InterDigital’s motion to terminate the investigation as to Samsung with respect to certain claims of the ‘004 and ‘847 patents.

On June 4, 2008, InterDigital moved for summary determination that its licensing activities in the United States satisfy the domestic industry requirements of 19 U.S.C. § 1337(a)(3)(C) as to the ‘791, ‘044, ‘966, ‘847, and ‘579 patents. On June 16, 2008, the Investigative Attorney (“IA”) submitted a response to InterDigital’s motion, contending that the motion should be granted as it relates to the ‘004, ‘579, and ‘791 patents and denied as it relates to the ‘966 and ‘847 patents. On June 17, 2008, Samsung opposed InterDigital’s motion.

On June 24, 2008, the ALJ issued the subject ID, granting InterDigital’s motion that its licensing activities in the United States satisfy the domestic industry requirement. On July 1, 2008, Samsung filed a petition for review of the subject ID. InterDigital and the IA filed responses to the petition for review on July 9, 2008.

The Commission has determined not to review the ID.

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 section 210.42 of the Commission’s Rules of Practice and Procedure (19 C.F.R. § 210.42).

By order of the Commission.

/s/
Marilyn R. Abbott
Secretary to the Commission

Issued: July 25, 2008