

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

**In the Matter of**

**CERTAIN 3G MOBILE HANDSETS  
AND COMPONENTS**

**Investigation No. 337-TA-613**

**NOTICE OF COMMISSION DECISION TO EXTEND THE DEADLINE FOR  
DETERMINING WHETHER TO REVIEW AN INITIAL DETERMINATION  
OF THE ADMINISTRATIVE LAW JUDGE**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to extend the deadline for determining whether to review the presiding administrative law judge's ("ALJ") final initial determination ("ID") granting respondents' motion for summary determination that U.S. Patent Nos. 6,674,791 ("the '791 patent") is invalid and hence terminating the investigation as to the '791 patent.

**FOR FURTHER INFORMATION CONTACT:** Megan M. Valentine, Esq., 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 subject ID concerns investigations which have now been consolidated: Inv. No. 337-TA-601 and Inv. No. 337-TA-613. 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. 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

the '791 patent as well as U.S. Patent Nos. 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.

The Commission instituted Inv. No. 337-TA-613 on September 11, 2007, based on a complaint filed by InterDigital on August 7, 2007. *72 Fed. Reg.* 51838. 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 mobile handsets and components by reason of infringement of certain claims of the '579; '004; '966; and '847 patents. The notice of investigation named Nokia Corporation of Finland and Nokia Inc. of Irving, Texas (collectively, "Nokia") as respondents. On October 24, 2007, the ALJ consolidated Inv. No. 337-TA-601 with Inv. No. 337-TA-613. On April 14, 2008, the ALJ issued an order suspending the commencement of the evidentiary hearing and any related submission deadlines pending resolution of a preliminary injunction entered against InterDigital in New York State district court, requiring InterDigital to suspend all actions in the current investigation with respect to Nokia.

On April 22, 2008, the ALJ issued the subject ID granting Samsung's motion for summary determination that Samsung has committed no violation of 19 U.S.C. § 1337 with respect to the only asserted claim of the '791 patent, claim 7, because claim 7 is anticipated by certain prior art. On April 29, 2008, InterDigital petitioned for review of the ID. On May 6, 2008, Samsung and the IA filed responses in opposition to InterDigital's petition for review.

The Commission has determined to extend the deadline for determining whether to review the subject ID to May 30, 2008.

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

By order of the Commission.

/s/

Marilyn R. Abbott  
Secretary to the Commission

Issued: May 22, 2008