

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

In the Matter of

**CERTAIN PORTABLE ELECTRONIC
DEVICES AND RELATED SOFTWARE**

Investigation No. 337-TA-797

**CORRECTED NOTICE OF COMMISSION DETERMINATION
NOT TO REVIEW AN INITIAL DETERMINATION
TERMINATING THE INVESTIGATION AS TO
CERTAIN ASSERTED 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 the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 52) granting complainant's unopposed motion to terminate the above-captioned investigation as to certain asserted patent claims.

FOR FURTHER INFORMATION CONTACT: Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2532. 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 this investigation on August 12, 2011, based on a complaint filed by Apple Inc. of Cupertino, California ("Apple"), alleging a violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), by reason of the infringement of claims of U.S. Patent Nos. 7,844,915 ("the '915 patent"); 7,469,381; 7,084,859; 7,920,129; and 6,956,564. 76 *Fed. Reg.* 50253 (Aug. 12, 2011). The notice of investigation named as respondents HTC Corp. of Taiwan and its subsidiaries HTC America, Inc. of Bellevue, Washington, and Exedeia, Inc. of Houston, Texas.

On May 3, 2012, Apple moved to terminate the investigation as to claims 15-19 and 21 of the '915 patent. Although Apple's memorandum in support of that motion listed the claims correctly, its one-page motion included a typographical error and listed the claims at issue as 9-15 and 21. On May 15, 2012, the ALJ granted the motion – including the incorrect recitation of claims – as an ID. Order No. 52. No petitions for review of the ID were filed, and on May 29, 2012, the Commission determined not to review the ID. On June 12, 2012, Apple filed an unopposed letter with the Commission explaining the error and requesting correction of the Commission notice.

The Commission has issued this corrected notice of non-review to correct the error and clarify that the investigation is terminated as to claims 15-19 and 21 of the '915 patent, and not as to the other asserted claims of that patent.

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 the Commission's Rules of Practice and Procedure (19 C.F.R. Part 210).

By order of the Commission.



Lisa R. Barton
Acting Secretary to the Commission

Issued: June 22, 2012