

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

In the Matter of

**CERTAIN PORTABLE COMMUNICATION
DEVICES**

Investigation No. 337-TA-827

**NOTICE OF COMMISSION DETERMINATION
NOT TO REVIEW AN INITIAL DETERMINATION
GRANTING A MOTION TO INTERVENE**

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. 7) granting the motion of Google Inc. ("Google") to intervene in the above-captioned investigation.

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 January 19, 2012, based on a complaint filed on behalf of Digtude Innovations LLC of Alexandria, Virginia ("Digtude") on December 2, 2011, and amended on December 16, 2011. *77 Fed. Reg.* 2758 (January 19, 2012). The complaint alleges violations of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, in the importation, sale for importation, and sale within the United States after importation of certain portable communication devices by reason of infringement of numerous claims of four patents. The Commission's notice of investigation named as respondents numerous manufacturers of mobile telephone handsets.

On January 27, 2012, non-party Google Inc. (“Google”) filed a motion to intervene for the limited purpose of disqualifying complainant’s counsel on the basis of an alleged conflict. On February 13, 2012, the ALJ issued Order No. 7, granting Google’s request to intervene on this limited basis. Order No. 7 at 9. In the same order, the ALJ denied Google’s disqualification motion. *Id.* at 10-14. Only that part of Order No. 7 granting intervention constituted an ID. *Id.* at 15 n.7.

No petitions for review were filed. 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 sections 210.19 and 210.42 of the Commission’s Rules of Practice and Procedure (19 C.F.R. §§ 210.19, 210.42).

By order of the Commission.

/s/
James R. Holbein
Secretary to the Commission

Issued: March 9, 2012