

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

**In the Matter of**

**CERTAIN MOBILE TELEPHONES AND  
WIRELESS COMMUNICATION DEVICES  
FEATURING DIGITAL CAMERAS, AND  
COMPONENTS THEREOF**

**Investigation No. 337-TA-663**

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION TERMINATING THE INVESTIGATION WITH RESPECT TO  
RESPONDENTS LG ELECTRONICS INC.; LG ELECTRONICS USA, INC.;  
AND LG ELECTRONICS MOBILECOMM USA, INC.  
ON THE BASIS OF A SETTLEMENT AGREEMENT**

**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. 54) of the presiding administrative law judge (“ALJ”) terminating the above-captioned investigation as to respondents LG Electronics Inc.; LG Electronics USA, Inc.; and LG Electronics MobileComm USA, Inc. on the basis of a settlement agreement.

**FOR FURTHER INFORMATION CONTACT:** Jia Chen, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-4737. 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 December 18, 2008, based on a complaint filed by Eastman Kodak Company (“Kodak”) of Rochester, New York. *73 Fed. Reg.* 77061 (Dec. 18, 2008). The complainant named the following respondents: Samsung Electronics Co., Ltd.; Samsung Electronics America, Inc.; Samsung Telecommunications America, LLC (collectively “Samsung”); LG Electronics Inc.; LG Electronics USA, Inc.; and LG Electronics MobileComm USA, Inc. (collectively “LG”).

The complaint, as amended, alleged violations of section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, in the importation, sale for importation, and sale within the United States after importation of certain mobile telephones and wireless communication devices featuring digital cameras and components thereof that infringe certain claims of U.S. Patent Nos. 5,493,335 (“the ’335 patent”) and 6,292,218 (“the ’218 patent”).

On December 16, 2009, Kodak and LG filed a joint motion before the ALJ to terminate the investigation with respect to LG on the basis of a settlement agreement. A copy of their settlement agreement was attached to the joint motion. On December 17, 2009, the ALJ issued his final ID, finding that the Samsung respondents’ accused products infringe the asserted claims of both the ’335 patent and the ’218 patent, that the asserted claims are not invalid, and that the ’218 patent is not unenforceable due to inequitable conduct. With respect to LG, the ALJ noted that “[a] ruling will be made upon the joint motion to terminate the LG respondents as soon as the [Commission investigative attorney] has had an opportunity to respond to it.” ID at 3, n.3. The Commission investigation attorney supported Kodak and LG’s joint motion to terminate the investigation with respect to LG. The deadline for filing any petitions for review of the final initial determination has been stayed.

On January 14, 2010, the ALJ issued the subject ID granting Kodak and LG’s joint motion to terminate. The ALJ found that the motion complied with the requirements of Commission Rule 210.21 (19 C.F.R. § 210.21). The ALJ also concluded that, pursuant to Commission Rule 210.50(b)(2) (19 C.F.R. § 210.50(b)(2)), there is no evidence that termination of this investigation will prejudice the public interest. 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 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: January 27, 2010