

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

In the Matter of

**CERTAIN MULTIMEDIA DISPLAY
AND NAVIGATION DEVICES AND
SYSTEMS, COMPONENTS THEREOF,
AND PRODUCTS CONTAINING SAME**

Investigation No. 337-TA-694

**NOTICE OF COMMISSION DETERMINATION THAT NO VIOLATION OF
SECTION 337 EXISTS; TERMINATION OF INVESTIGATION**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to affirm, on modified grounds, the final initial determination (“ID”) issued by the presiding administrative law judge (“ALJ”) on December 16, 2010, finding no violation of section 337 in the above-captioned investigation.

FOR FURTHER INFORMATION CONTACT: Daniel E. Valencia, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-1999. 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 the instant investigation on December 16, 2009, based on a complaint filed by Pioneer Corporation of Tokyo, Japan and Pioneer Electronics (USA) Inc. of Long Beach, California (collectively, “Pioneer”). *74 Fed. Reg.* 66676 (Dec. 16, 2009). The complaint 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 multimedia display and navigation devices and systems, components thereof, and products containing same by reason of infringement of various claims of United States Patent Nos. 5,365,448 (“the ‘448 patent”), 5,424,951 (“the ‘951 patent”), and 6,122,592 (“the ‘592 patent”). The complaint named Garmin International, Inc. of Olathe, Kansas, Garmin Corporation of Taiwan (collectively, “Garmin”)

and Honeywell International Inc. of Morristown, New Jersey (“Honeywell”) as the proposed respondents. Honeywell was subsequently terminated from the investigation.

On December 16, 2010, the ALJ issued a final ID. In his final ID, the ALJ found no violation of section 337 by Garmin. Specifically, the ALJ found that the accused products do not infringe claims 1 and 2 of the ‘448 patent, claims 1 and 2 of the ‘951 patent, or claims 1 and 2 of the ‘592 patent. The ALJ found that the ‘592 patent was not proven to be invalid and that Pioneer has established a domestic industry under 19 U.S.C. § 1337(a)(3)(C). On February 23, 2011, the Commission determined to review the final ID in part. On April 18, 2011, the Commission determined to extend the target date and requested supplemental briefing.

Having examined the record of this investigation, including the ALJ’s final ID and the submissions of the parties, the Commission has determined to affirm, on modified grounds, the ALJ’s finding that Garmin has not violated section 337. In particular, the Commission has determined to reverse the ALJ’s finding that Garmin’s products do not infringe the asserted claims of the ‘951 patent, affirm his finding that Garmin’s products do not infringe the asserted claims of the ‘592 patent, reverse his finding that the asserted claims of the ‘592 patent are not invalid under the written description requirement of 35 U.S.C. § 112, first paragraph, and reverse his finding that Pioneer has established a licensing-based domestic industry for the ‘951 and ‘592 patents. The ‘448 patent is no longer asserted. The investigation is terminated.

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 210.42-.50 of the Commission’s Rules of Practice and Procedure (19 C.F.R. §§ 210.42-.50).

By order of the Commission.

/s/
James R. Holbein
Secretary to the Commission

Issued: June 24, 2011