

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN WIRELESS CONSUMER
ELECTRONICS DEVICES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-853

**NOTICE OF COMMISSION DETERMINATION TO EXTEND
THE TARGET DATE TO FEBRUARY 19, 2014**

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 target date for completion of this investigation to February 19, 2014. The due date for the parties to file reply submissions in response to the Commission's November 25, 2013 Notice of Review is extended to January 6, 2014.

FOR FURTHER INFORMATION CONTACT: Megan M. Valentine, 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 Commission instituted this investigation on August 24, 2012, based on a complaint filed by Technology Properties Limited LLC and Phoenix Digital Solutions LLC of Cupertino, California and Patriot Scientific Corporation of Carlsbad, California. *77 Fed. Reg.* 51572-573 (August 24, 2012). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 ("section 337"), by reason of infringement of certain claims of U.S. Patent No. 5,809,336. The complaint further alleges the existence of a domestic industry. The Commission's notice of investigation named numerous respondents, including Amazon.com, Inc. of Seattle, Washington ("Amazon"), Huawei North America of Plano, Texas ("Huawei NA"); Kyocera Corporation of Kyoto, Japan and Kyocera Communications, Inc. of San Diego, California (collectively "Kyocera"); Sierra

Wireless, Inc. of British Columbia, Canada and Sierra Wireless America, Inc. of Carlsbad, California (collectively "Sierra"). The Office of Unfair Import Investigation ("OUII") was also named as a participating party. On February 2, 2013, the Commission removed Huawei NA as a respondent and to add Huawei Device Co., Ltd. of Shenzhen, China; Huawei Device USA Inc. of Plano, Texas; and Futurewei Technologies, Inc. d/b/a Huawei Technologies (USA) of Plano, Texas as respondents. 78 *Fed. Reg.* 12354 (Feb. 2, 2013). The Commission later terminated the investigation with respect to Sierra, Kyocera, and Amazon.

On September 6, 2013, the ALJ issued his final initial determination ("ID"), finding no violation of section 337 with respect to all of the named respondents. On September 12, 2013, the ALJ filed a Notice of Clarification supplementing the final ID.

On November 25, 2013, the Commission determined to review the final ID in part and requested briefing on certain issues under review. The Notice of Review requested that the parties file initial submissions by December 23, 2013, and response submissions by December 30, 2013. The Notice also extended the target date to January 29, 2014.

On December 9, 2013, the private parties filed a letter with the Chairman's office, requesting an extension for filing reply submissions in response to the Notice of Review to January 6, 2014. The private parties indicate in the letter that OUII does not oppose the request. The parties also note that they understand the extension may necessitate moving the target date and indicate that they do not oppose such an extension.

The requested extension for filing reply briefs to January 6, 2014, is granted. Due to the Commission's upcoming schedule with respect to other pending section 337 investigations, the Commission has determined to extend the target for completion of the investigation to February 19, 2014.

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 210.51 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.51).

By order of the Commission.



Lisa R. Barton
Acting Secretary to the Commission

Issued: December 19, 2013

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **Notice** has been served by hand upon, the Commission Investigative Attorney, Whitney Winston, Esq., and the following parties as indicated on **December 20, 2013**.



Lisa R. Barton, Acting Secretary
U.S. International Trade Commission
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LLC and Phoenix Digital Solutions LLC:**

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**CERTAIN WIRELESS CONSUMER ELECTRONICS
DEVICES AND COMPONENTS THEREOF**

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