

**FOR FURTHER INFORMATION CONTACT:**

Sidney A. Rosenzweig, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-2532. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). General information concerning the Commission may also be obtained by accessing its internet server at <https://www.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 November 20, 2015, based on a complaint filed by Diebold Incorporated and Diebold Self-Service Systems (collectively, "Diebold"). 80 FR 72735-36 (Nov. 20, 2015). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 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 automated teller machines, ATM modules, components thereof, and products containing the same by reason of infringement of certain claims of six United States Patents, including U.S. Patent No. 6,082,616 ("the '616 patent"); and U.S. Patent No. 7,832,631 ("the '631 patent"). *Id.* The notice of investigation named as respondents Nautilus Hyosung Inc. of Seoul, Republic of Korea; Nautilus Hyosung America Inc. of Irving, Texas (collectively, "Nautilus"); and HS Global, Inc. of Brea, California ("HS Global"). *Id.* at 72736. The Office of Unfair Import Investigations was not named as a party. *Id.* Nautilus Hyosung Inc. subsequently changed its name to Hyosung TNS Inc. See Commission Order Amending the Remedial Orders at 1 n.1 (Aug. 13, 2019).

On May 19, 2017, the Commission terminated the investigation with a finding of violation of section 337 as to certain claims of the '616 patent and '631 patent. 82 FR 24143-44 (May 25, 2017). The Commission issued a limited exclusion order prohibiting the entry of infringing automated teller machines, ATM modules, components thereof, and products containing the same, and (2) cease and desist orders directed to each of the three respondents. *Id.* at 24144. On August 13, 2019, the Commission amended the remedial orders to remove

the references to the '616 patent, which had expired on June 2, 2018. Order at 2 (Aug. 13, 2019); see generally *Hyosung TNS Inc. v. ITC*, 926 F.3d 1353, 1359 (Fed. Cir. 2019) (finding any disputes concerning the '616 patent to have been mooted by that patent's expiration).

On December 1, 2021, Diebold and Nautilus jointly filed confidential and public versions of a petition to rescind all of the remedial orders based on a settlement agreement. No responses to the petition were filed. Despite that HS Global is not a party to the settlement, Diebold and Nautilus seek the rescission of the remedial orders in their entirety. Diebold and Nautilus also moved that service among the private parties of the settlement agreement be limited to Diebold and Hyosung, and not to HS Global. The Commission has determined to grant that request concerning service.

Having reviewed the petition and determined that it complies with Commission rules, see 19 CFR 210.76(a)(3), the Commission has determined to institute a rescission proceeding and to grant the petition. The LEO and the CDOs directed to each of the three respondents are hereby rescinded.

The rescission proceeding is terminated.

The Commission vote for this determination took place on December 20, 2021.

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 part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: December 21, 2021.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2021-28015 Filed 12-23-21; 8:45 am]

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## **INTERNATIONAL TRADE COMMISSION**

[Investigation No. 337-TA-1275]

### **Certain Networking Devices, Computers, and Components Thereof ; Notice of a Commission Determination Not To Review an Initial Determination Terminating the Investigation on the Basis of Settlement; Termination of the Investigation**

**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. 11) terminating the investigation on the basis of settlement. The investigation is terminated in its entirety.

**FOR FURTHER INFORMATION CONTACT:**

Amanda P. Fisherow, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2737. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket information system (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal, telephone (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted the present investigation on August 13, 2021, based on a complaint and supplement thereto filed by Proven Networks, LLC of Los Angeles, California ("Complainant"). 86 FR 44746-47 (Aug. 13, 2021). The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation, sale for importation, and sale in the United States after importation of certain networking devices, computers, and components thereof that allegedly infringe certain claims of U.S. Patent No. 8,687,573. *Id.* The complaint further alleged that an industry in the United States exists, or is in the process of being established, as required by section 337. *Id.* The notice of investigation named F5 Networks Inc. of Seattle, Washington as the respondent. *Id.* at 44747. The Office of Unfair Import Investigations was also named as a party to this investigation. *Id.*

On December 2, 2021, the private parties filed a joint unopposed motion to terminate the investigation on the basis of settlement. The parties represented that "there are no other agreements, written or oral, express or implied, between the Parties regarding the subject matter of this proceeding."

On December 3, 2021, the presiding administrative law judge issued Order No. 11, granting the joint motion to terminate the investigation on the basis of settlement. The ID found that the motion complies with the requirements

of Commission Rule 210.21 (19 CFR 210.21(a), (b)) and that there is no evidence that indicates that termination would adversely affect the public interest. No party filed a petition for review of the ID.

The Commission has determined not to review this ID. Accordingly, the investigation is terminated.

The Commission vote for this determination took place on December 20, 2021.

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 part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: December 20, 2021.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2021-27943 Filed 12-23-21; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1224]

### Certain Digital Video-Capable Devices and Components Thereof; Commission Determination To Review a Final Initial Determination Finding No Violation of Section 337; Request for Written Submissions on the Issues Under Review and on Remedy, the Public Interest, and Bonding; Extension of the Target Date

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission ("Commission") has determined to review a final initial determination ("ID") of the presiding administrative law judge ("ALJ"). The Commission requests written submissions from the parties on the issues under review and submissions from the parties, interested government agencies, and other interested persons on the issues of remedy, the public interest, and bonding, under the schedule set forth below. The Commission also extends the target date for completion of the investigation until March 23, 2022.

**FOR FURTHER INFORMATION CONTACT:** Amanda P. Fisherow, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2737. Copies of non-confidential

documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). General information concerning the Commission may also be obtained by accessing its internet server at <https://www.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 present investigation on October 22, 2020, based on a complaint and supplement thereto filed by Koninklijke Philips N.V. of Eindhoven, Netherlands and Philips North America LLC of Cambridge, Massachusetts (collectively, "Philips"). 85 FR 67373-74 (Oct. 22, 2020). The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation, sale for importation, and sale in the United States after importation of certain digital video-capable devices and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 9,436,809 ("the '809 patent"); 9,590,977 ("the '977 patent"); 10,091,186 ("the '186 patent"); and 10,298,564 ("the '564 patent"). *Id.* at 67373. The complaint further alleged that an industry in the United States exists or is in the process of being established, as required by section 337. *Id.* The notice of investigation named the following respondents: Dell Technologies Inc. of Round Rock, Texas and Dell Inc. of Round Rock, Texas (together "Dell"); Hisense Co. Ltd. of Qingdao, China, Hisense Visual Technology Co., Ltd. of Qingdao, China, Hisense Electronics Manufacturing Company of America Corporation of Suwanee, Georgia, Hisense USA Corporation of Suwanee, Georgia, Hisense Import & Export Co. Ltd. of Qingdao, China, Hisense International Co., Ltd. of Qingdao, China, Hisense International (HK) Co., Ltd. of Sheung Wan, Hong Kong (SAR), and Hisense International (Hong Kong) America Investment Co., Ltd. of Sheung Wan, Hong Kong (SAR) (together, "Hisense"); HP, Inc. of Palo Alto, California ("HP"); Lenovo Group Ltd. of Quarry Bay, Hong Kong (SAR) and Lenovo (United States), Inc. of Morrisville, North Carolina (together, "Lenovo"); LG Electronics, Inc. of Seoul, Republic of Korea and LG Electronics USA, Inc. of Englewood Cliffs, New Jersey; TCL Industries Holdings Co., Ltd., of Guangdong,

China, TCL Electronics Holdings Ltd. of Hong Kong Science Park, Hong Kong (SAR), TCL King Electrical Appliances (Huizhou) Co. Ltd. of Huizhou, China, TTE Technology, Inc. of Corona, California, TCL Moka International Ltd. of Sha Tin, Hong Kong, TCL Moka Manufacturing S.A. de C.V. of Tijuana, Mexico, TCL Smart Device (Vietnam) Company Ltd. of Binh Duong, Vietnam; MediaTek Inc. of Hsinchu, Taiwan and MediaTek USA Inc. of San Jose, California; Realtek Semiconductor Corp. of Hsinchu, Taiwan ("Realtek"); and Intel Corporation of Santa Clara, California ("Intel"). *Id.* at 67374. The Office of Unfair Import Investigations ("OUII") is participating in the investigation. *Id.*

During the course of the investigation, Philips moved to terminate the investigation as to various claims, patents, and respondents. *See* Order No. 19, *unreviewed by* Comm'n Notice (Apr. 15, 2021), Order No. 21, *unreviewed by* Comm'n Notice (May 12, 2021), Order No. 26, *unreviewed by* Comm'n Notice (Jun 21, 2021), Order 32, *unreviewed by* Comm'n Notice (July 26, 2021), Order No. 40, *unreviewed by* Comm'n Notice (Aug. 2, 2021), and Order No. 46, *unreviewed by* Comm'n Notice (Aug. 10, 2021). The Respondents remaining in the investigation are Dell, Hisense, HP, Lenovo, TCL, Realtek, and Intel (together, "the Respondents"). The remaining asserted patent claims are: claims 1, 9, 11, 12, and 14 of the '186 patent; and claims 1, 18, 19, 21, and 25 of the '564 patent.

On October 21, 2021, the ALJ issued the subject ID. On November 2, 2021, Philips and OUII each filed petitions for review. Also, on November 2, 2021, Respondents Intel, Dell, and Lenovo filed a contingent petition for review and Respondents HP, Realtek, Dell, Lenovo, Hisense, and TCL ("Receiver Respondents") filed a separate contingent petition for review. On November 10, 2021, Philips, OUII, and the Respondents each filed replies.

Having reviewed the record of the investigation, including the final ID, the parties' submissions to the ALJ, and the petitions for review and replies, the Commission has determined to review the ID in part. Specifically, the Commission has determined to review the ID's findings on claim construction, infringement, validity, and domestic industry for both of the '186 and '564 patents.

In connection with its review, the Commission requests responses to the following questions. The parties are requested to brief their positions with reference to the applicable law and the existing evidentiary record.