

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

CERTAIN ELECTRONIC DEVICES,
INCLUDING MOBILE PHONES, PORTABLE
MUSIC PLAYERS, AND COMPUTERS


Inv. No. 337-TA-701

NOTICE REGARDING ISSUANCE OF FINAL INITIAL DETERMINATION AND
RECOMMENDED DETERMINATION ON REMEDY AND BOND

(March 25, 2011)

On this date, the undersigned issued an Initial Determination on Violation of Section 337 and Recommended Determination on Remedy and Bond in the above-referenced Investigation. Attached are the opening pages from said filing, which are a matter of public record. A complete public version of the Initial Determination on Violation of Section 337 and Recommended Determination on Remedy and Bond will be issued when all the parties have submitted, and the undersigned has had an opportunity to review, the proposed redactions.

SO ORDERED.


E. James Gildea
Administrative Law Judge

Attachment A

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INITIAL DETERMINATION ON VIOLATION OF SECTION 337 AND
RECOMMENDED DETERMINATION ON REMEDY AND BOND

Administrative Law Judge E. James Gildea

(March 25, 2011)

Appearances:

For the Complainants Nokia Corporation and Nokia Inc.:

Paul F. Brinkman, Esq., Alan L. Whitehurst, Esq., Marissa R. Ducca, Esq., and Thomas W. Davison, Esq. of Alston & Bird LLP of Washington, D.C.

Patrick J. Flinn, Esq. and Joseph J. Gleason, Esq. of Alston & Bird LLP of Atlanta, Georgia.

Ross R. Barton, Esq. of Alston & Bird LLP of Charlotte, North Carolina

Steven D. Hemminger, Esq. of Alston & Bird LLP of Menlo Park, California

For the Respondent Apple Inc.:

William F. Lee, Esq., Michael J. Summersgill, Esq., and Joseph J. Mueller, Esq. of WilmerHale LLP of Boston, Massachusetts.

Mark D. Selwyn, Esq. of WilmerHale LLP of Palo Alto, California.

Nina S. Tallon, Esq., Kevin Moriarty, Esq., and James Quarles, Esq. of WilmerHale LLP of Washington, D.C.

For the Commission Investigative Staff:

Lynn I. Levine, Esq., Director; Thomas Fusco, Esq., Supervisory Attorney; and Rett Snotherly, Esq., Investigative Attorney, of the Office of Unfair Import Investigations, U.S. International Trade Commission, of Washington, D.C.

Pursuant to the Notice of Investigation, 75 Fed. Reg. 4584 (January 28, 2010), this is the Initial Determination of the Investigation in the Matter of Certain Electronic Devices, Including Mobile Phones, Portable Music Players, and Computers, United States International Trade Commission Investigation No. 337-TA-701. *See* 19 C.F.R. § 210.42(a).

With respect to Respondent Apple Inc., it is held that no violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation, of certain electronic devices, including mobile phones, portable music players, or computers by reason of infringement of one or more of claims 1, 10-13, 22 and 25 of United States Patent No. 6,518,957. (*See* JX-126.)

With respect to Respondent Apple Inc., it is held that no violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation, of certain electronic devices, including mobile phones, portable music players, or computers by reason of infringement of one or more of claims 1-12 of United States Patent No. 6,714,091.

With respect to Respondent Apple Inc., it is held that no violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation, of certain electronic devices, including mobile phones, portable music players, or computers by reason of infringement of one or more of claims 1-6 and 8 of United States Patent No. 6,834,181.

With respect to Respondent Apple Inc., it is held that no violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation, of

certain electronic devices, including mobile phones, portable music players, or computers by reason of infringement of one or more of claims 1 and 16 of United States Patent No. 6,895,256.

With respect to Respondent Apple Inc., it is held that no violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation, of certain electronic devices, including mobile phones, portable music players, or computers by reason of infringement of claim 5 of United States Patent No. 6,924,789.

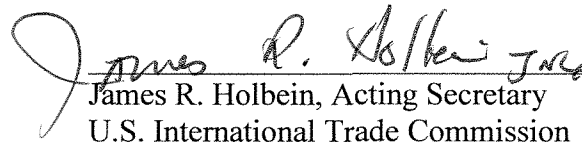
It is further held that a domestic industry exists that practices U.S. Patent No. 6,924,789, and does not exist that practices U.S. Patent Nos. 6,714,091, 6,834,181, and 6,895,256.

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337-TA-701

PUBLIC CERTIFICATE OF SERVICE

I, James R. Holbein, hereby certify that the attached **Notice** has been served by hand upon the Commission Investigative Attorney, **Rett Snotherly, Esq.**, and the following parties as indicated on **March 25, 2011.**


James R. Holbein, Acting Secretary
U.S. International Trade Commission
500 E Street, SW, Room 112A
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FOR COMPLAINANTS NOKIA CORPORATION AND NOKIA INC.:

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