

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

In the Matter of

**CERTAIN EQUIPMENT FOR
COMMUNICATIONS NETWORKS,
INCLUDING SWITCHES, ROUTERS,
GATEWAYS, BRIDGES, WIRELESS
ACCESS POINTS, CABLE MODEMS, IP
PHONES, AND PRODUCTS
CONTAINING SAME**

Inv. No. 337-TA-778

NOTICE OF INSTITUTION OF INVESTIGATION

Institution of investigation pursuant to 19 U.S.C. § 1337

AGENCY: U.S. International Trade Commission

ACTION: Notice

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on May 17, 2011, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of MOSAID Technologies Inc. of Canada. Letters supplementing the complaint were filed on June 6 and June 7, 2011. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain equipment for communications networks, including switches, routers, gateways, bridges, wireless access points, cable modems, IP phones, and products containing same by reason of infringement of certain claims of U.S. Patent No. 7,035,280 (“the ‘280 patent”); U.S. Patent No. 7,292,600 (“the ‘600 patent”); U.S. Patent No. 7,830,858 (“the ‘858 patent”); U.S. Patent No. 6,842,459 (“the ‘459 patent”); U.S. Patent No. 7,633,966 (“the ‘966 patent”); and U.S. Patent No. 5,841,360 (“the ‘360 patent”). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue an exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is 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., Room 112, Washington, D.C. 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining

access to the Commission should contact the Office of the Secretary at (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>.

FOR FURTHER INFORMATION CONTACT: The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone 202-205-2560.

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.10 (2011).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on June 15, 2011, ORDERED THAT –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain equipment for communications networks, including switches, routers, gateways, bridges, wireless access points, cable modems, IP phones, and products containing same that infringe one or more of claims 1, 5, 9, 11-13, 15, 18, 19, 23, 27, 30, 31, 36, 43, 45, 46, and 51 of the '280 patent; claims 12, 13, 17, 18, 44-46, 50-53, 57, 58, 83, and 139 of the '600 patent; claims 34-39, 111-114, 118, 120-131 of the '858 patent; claims 15-17 and 20-25 of the '459 patent; claims 1, 3, 5, 6, and 9 of the '966 patent; and claims 1, 6, and 9 of the '360 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

MOSAID Technologies Inc.
11 Hines Road, Suite 203
Ottawa, ON K2K 2X1
Canada

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Cisco Systems, Inc.
170 West Tasman Drive
San Jose, CA 95134-1706

Cisco Consumer Products LLC
120 Theory Drive
Irvine, CA 92617

Cisco Systems International B.V.
Harrlerbergweg 13-19
Amsterdam, 1101 CH
Netherlands

Scientific Atlanta LLC
5030 Sugarloaf Parkway
Lawrenceville, GA 30044


(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(3) For the investigation so instituted, the Honorable Paul J. Luckern, Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.13. Pursuant to 19 C.F.R. §§ 201.16(d)-(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.


James R. Holbein
Secretary to the Commission

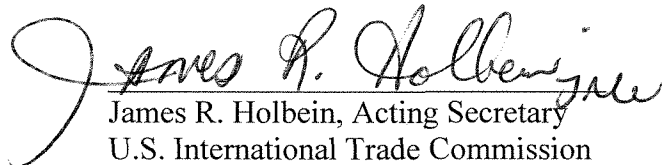
Issued: June 16, 2011

CERTAIN EQUIPMENT FOR COMMUNICATIONS NETWORKS, INCLUDING SWITCHES, ROUTERS, GATEWAYS, BRIDGES, WIRELESS ACCESS POINTS, CABLE MODEMS, IP PHONES, AND PRODUCTS CONTAINING SAME

337-TA-778

CERTIFICATE OF SERVICE

I, James R. Holbein, hereby certify that the attached **NOTICE OF INVESTIGATION** has been served by hand upon the Commission Investigative Attorney, Dan Girdwood, Esq., and the following parties as indicated, on **June 16, 2011**.


James R. Holbein, Acting Secretary
U.S. International Trade Commission
500 E Street, SW
Washington, DC 20436

Complainant:

MOSAID Technologies, Inc.
11 Hines Road, Suite 203
Ottawa, ON K2K 2X1
CANADA

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____

On Behalf of Complainant:

Susan M. Cook, Esq.
HOGAN LOVELLS, US LLP
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____

Respondents:

Cisco Systems, Inc.
170 West Tasman Drive
San Jose, CA 95134-1706

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____

Cisco Consumer Products LLC
120 Theory Drive
Irvine, CA 92617

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____

Cisco Systems International B.V.
Harrlerbergweg 13-19
Amsterdam, 1101 CH
Netherlands

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- INTERNATIONAL

Scientific Atlanta LLC
5030 Sugarloaf Parkway
Lawrenceville, GA 30044

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____

Embassy:

Embassy of The Netherlands
4200 Linnean Avenue NW
Washington, DC 20008-3809

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____

Government Agencies:

Edward T. Hand, Chief
Foreign Commerce Section
Antitrust Division
U.S. Department of Justice
450 5th Street NW, Room 11000
Washington, DC 20530

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____

U.S. Bureau of Customs and Border Protection
Intellectual Property Rights Branch
Mint Annex Building
799 9th Street, NW, 7th floor
Washington, DC 20229-1177

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____

Elizabeth Kraus, Deputy Director
International Antitrust, Office of
International Affairs
Federal Trade Commission
600 Pennsylvania Avenue, Room 498
Washington, DC 20580

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____

Richard Lambert, Esq.
Office of Technology Development Services
Dept. of Health & Human Services
National Institutes of Health
6610 Rockledge Drive, Room 2800, MSC 6606
Bethesda, MD 20892

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 16, 2011

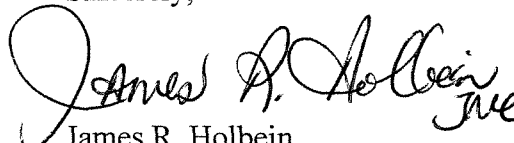
MOSAID Technologies Inc.
11 Hines Road, Suite 203
Ottawa, ON K2K 2X1
Canada

**Re: Certain Equipment for Communications Networks, Including Switches,
Routers, Gateways, Bridges, Wireless Access Points, Cable Modems, IP
Phones, and Products Containing Same
Inv. No. 337-TA-778**

Dear Sir/Madam:

This letter is to advise you that the U.S. International Trade Commission has instituted an investigation pursuant to section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Commission's notice of investigation is enclosed. Also enclosed is the Section 337 Mediation Program brochure. After reviewing the brochure, please sign and return the enclosed certification of receipt.

Sincerely,


James R. Holbein
Secretary

Enclosures:

1. Notice of Investigation
2. Publication No. 4198 Regarding the Section 337 Mediation Program
3. Certification of Receipt of Mediation Materials



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 16, 2011

Susan M. Cook, Esq.
Hogan Lovells US LLP
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004

**Re: Certain Equipment for Communications Networks, Including Switches,
Routers, Gateways, Bridges, Wireless Access Points, Cable Modems, IP
Phones, and Products Containing Same
Inv. No. 337-TA-778**

Dear Ms. Cook:

This letter is to advise you that the U.S. International Trade Commission has instituted an investigation pursuant to section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Commission's notice of investigation is enclosed. Also enclosed is the Section 337 Mediation Program brochure. After reviewing the brochure, please sign and return the enclosed certification of receipt.

Sincerely,

A handwritten signature in black ink that reads "James R. Holbein" with a stylized "JHO" monogram at the end.

James R. Holbein
Secretary

Enclosures:

1. Notice of Investigation
2. Publication No. 4198 Regarding the Section 337 Mediation Program
3. Certification of Receipt of Mediation Materials



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 16, 2011

Cisco Systems, Inc.
170 West Tasman Drive
San Jose, CA 95134-1706

Re: Certain Equipment for Communications Networks, Including Switches, Routers, Gateways, Bridges, Wireless Access Points, Cable Modems, IP Phones, and Products Containing Same
Inv. No. 337-TA-778

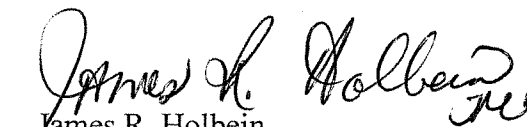
Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). **Cisco Systems, Inc.** is a named respondent in this investigation.

We are hereby serving you with a copy of the Complaint and the Notice of Investigation issued in this matter. Enclosed is a copy of the Code of Federal Regulations. Also enclosed is a the Section 337 Mediation Program brochure. After reviewing this brochure, please sign and return the enclosed certification of receipt.

Please note that the Notice requires a response to the allegations in the Complaint and the response must be received not later than twenty (20) days after the date of service of the Complaint. Failure to file a response may result in inferences being drawn against your interests.

Sincerely,


James R. Holbein
Secretary

Enclosures:

1. Complaint
2. Notice of Investigation
3. Code of Federal Regulation
4. Publication No. 4198 Regarding the Section 337 Mediation Program
5. Certification of Receipt of Mediation Materials



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 16, 2011

Cisco Consumer Products LLC
120 Theory Drive
Irvine, CA 92617

Re: Certain Equipment for Communications Networks, Including Switches, Routers, Gateways, Bridges, Wireless Access Points, Cable Modems, IP Phones, and Products Containing Same
Inv. No. 337-TA-778

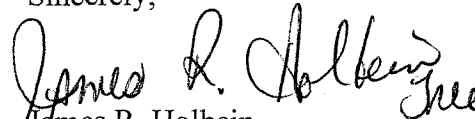
Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). **Cisco Consumer Products LLC** is a named respondent in this investigation.

We are hereby serving you with a copy of the Complaint and the Notice of Investigation issued in this matter. Enclosed is a copy of the Code of Federal Regulations. Also enclosed is a the Section 337 Mediation Program brochure. After reviewing this brochure, please sign and return the enclosed certification of receipt.

Please note that the Notice requires a response to the allegations in the Complaint and the response must be received not later than twenty (20) days after the date of service of the Complaint. Failure to file a response may result in inferences being drawn against your interests.

Sincerely,


James R. Holbein
Secretary

Enclosures:

1. Complaint
2. Notice of Investigation
3. Code of Federal Regulation
4. Publication No. 4198 Regarding the Section 337 Mediation Program
5. Certification of Receipt of Mediation Materials



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 16, 2011

Cisco Systems International B.V.
Harrlerbergweg 13-19
Amsterdam, 1101 CH
Netherlands

**Re: Certain Equipment for Communications Networks, Including Switches,
Routers, Gateways, Bridges, Wireless Access Points, Cable Modems, IP
Phones, and Products Containing Same
Inv. No. 337-TA-778**

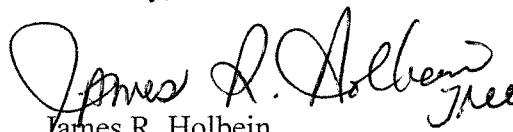
Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). **Cisco Systems International B.V.** is a named respondent in this investigation.

We are hereby serving you with a copy of the Complaint and the Notice of Investigation issued in this matter. Enclosed is a copy of the Code of Federal Regulations. Also enclosed is a the Section 337 Mediation Program brochure. After reviewing this brochure, please sign and return the enclosed certification of receipt.

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Sincerely,


James R. Holbein
Secretary

Enclosures:

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5. Certification of Receipt of Mediation Materials



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 10, 2011

Scientific Atlanta LLC
5030 Sugarloaf Parkway
Lawrenceville, GA 30044

Re: Certain Equipment for Communications Networks, Including Switches, Routers, Gateways, Bridges, Wireless Access Points, Cable Modems, IP Phones, and Products Containing Same
Inv. No. 337-TA-778

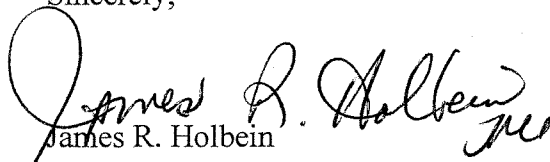
Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). **Scientific Atlanta LLC** is a named respondent in this investigation.

We are hereby serving you with a copy of the Complaint and the Notice of Investigation issued in this matter. Enclosed is a copy of the Code of Federal Regulations. Also enclosed is a the Section 337 Mediation Program brochure. After reviewing this brochure, please sign and return the enclosed certification of receipt.

Please note that the Notice requires a response to the allegations in the Complaint and the response must be received not later than twenty (20) days after the date of service of the Complaint. Failure to file a response may result in inferences being drawn against your interests.

Sincerely,


James R. Holbein
Secretary

Enclosures:

1. Complaint
2. Notice of Investigation
3. Code of Federal Regulation
4. Publication No. 4198 Regarding the Section 337 Mediation Program
5. Certification of Receipt of Mediation Materials



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 16, 2011

Embassy of The Netherlands
4200 Linnean Avenue NW
Washington, DC 20008-3809

**Re: Certain Equipment for Communications Networks, Including Switches,
Routers, Gateways, Bridges, Wireless Access Points, Cable Modems, IP
Phones, and Products Containing Same
Inv. No. 337-TA-778**

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). One or more of the parties named in the investigation is located in **The Netherlands**.

Pursuant to Commission Rule 210.11(a) (3), we are hereby serving you with a copy of the Complaint filed in this investigation together with a copy of the Commission's Notice of Investigation.

Sincerely,

A handwritten signature in black ink that reads "James R. Holbein" with a stylized flourish at the end.

James R. Holbein
Secretary

Enclosures:

1. Complaint
2. Notice of Investigation



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 16, 2011

Edward T. Hand, Chief
Foreign Commerce Section
Antitrust Division
U.S. Dept of Justice
450 5th Street NW, Room 11000
Washington, DC 20530

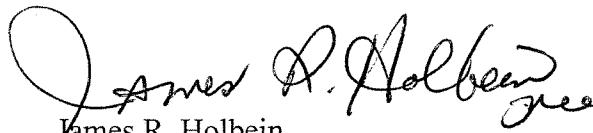
**Re: Certain Equipment for Communications Networks, Including Switches,
Routers, Gateways, Bridges, Wireless Access Points, Cable Modems, IP
Phones, and Products Containing Same
Inv. No. 337-TA-778**

Dear Mr. Hand:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to James R. Holbein, Acting Secretary at (202) 205-1802.

If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,


James R. Holbein
Secretary

Enclosure:

1. Notice of Investigation



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 16, 2011

U.S. Bureau of Customs and Border Protection
Intellectual Property Rights Branch
Mint Annex Building
799 9th Street, NW, 7th Floor
Washington, DC 20229-1177

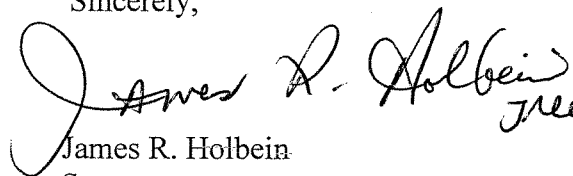
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If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,


James R. Holbein
Secretary

Enclosure:

1. Notice of Investigation



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 16, 2011

Elizabeth Kraus, Deputy Director
International Antitrust, Office of International Affairs
Federal Trade Commission
600 Pennsylvania Avenue, Room 498
Washington, DC 20580

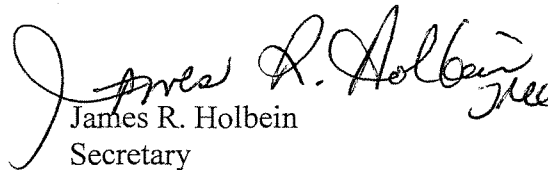
**Re: Certain Equipment for Communications Networks, Including Switches,
Routers, Gateways, Bridges, Wireless Access Points, Cable Modems, IP
Phones, and Products Containing Same
Inv. No. 337-TA-778**

Dear Ms. Kraus:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337): A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to James R. Holbein, Acting Secretary at (202) 205-1802.

If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,


James R. Holbein
Secretary

Enclosure:

1. Notice of Investigation



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 16, 2011

Richard Lambert, Esq.
Office of Technology Development Services
Dept. of Health and Human Services
National Institutes of Health
6610 Rockledge Drive, Room 2800, MSC 6606
Bethesda, Maryland 20892

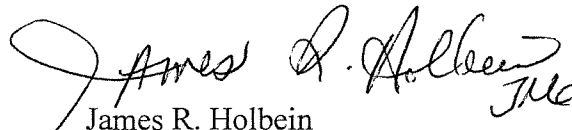
**Re: Certain Equipment for Communications Networks, Including Switches,
Routers, Gateways, Bridges, Wireless Access Points, Cable Modems, IP
Phones, and Products Containing Same
Inv. No. 337-TA-778**

Dear Mr. Lambert:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to James R. Holbein, Acting Secretary at (202) 205-1802.

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Sincerely,


James R. Holbein
Secretary

Enclosure:

1. Notice of Investigation