

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

In the Matter of

**CERTAIN WIRELESS
COMMUNICATION DEVICES AND
SYSTEMS, COMPONENTS THEREOF,
AND PRODUCTS CONTAINING SAME**

Inv. No. 337-TA-775

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 6, 2011, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Linex Technologies, Inc. of Palm Beach Gardens, Florida. A letter supplementing the complaint was filed on May 25, 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 wireless communication devices and systems, components thereof, and products containing same by reason of infringement of certain claims of U.S. Patent No. 6,757,322 (“the ‘322 patent”) and U.S. Patent No. RE42,219 (“the ‘219 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 1, 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 wireless communication devices and systems, components thereof, and products containing same that infringe one or more of claims 9 and 10 of the '322 patent and claims 97, 107-109, 119-121, 131-133, 144, and 145 of the '219 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:

Linex Technologies, Inc.
13046 Redon Drive
Palm Beach Gardens, FL 33410

(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:

Hewlett-Packard Company
3000 Hanover Street
Palo Alto, CA 94304-1185

Apple Inc.
1 Infinite Loop
Cupertino, CA 95014

Aruba Networks, Inc.
1344 Crossman Avenue
Sunnyvale, CA 94089-1113

Meru Networks
894 Ross Drive
Sunnyvale, CA 94089

Ruckus Wireless
880 West Maude Avenue
Suite 101
Sunnyvale, CA 94085


(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

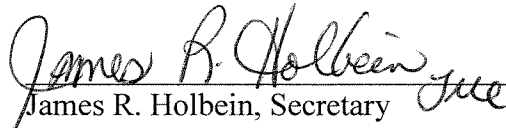
Issued: June 2, 2011

CERTAIN WIRELESS COMMUNICATION DEVICES AND SYSTEMS, COMPONENTS THEREOF, AND PRODUCTS CONTAINING SAME

Inv. No. 337-TA-775

PUBLIC CERTIFICATE OF SERVICE

I, James R. Holbein, hereby certify that the attached **NOTICE OF INVENTIGATION** has been served by hand upon, the Commission Investigative Attorney, David O. Lloyd, Esq. and the following parties as indicated on **June 3, 2011**.


James R. Holbein, Secretary
U.S. International Trade Commission
500 E Street, SW, Room 112
Washington, DC 20436

Complainant:

Linex Technologies, Inc.
13046 Redon Dr.
Palm Beach Gardens, FL 33410

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

On Behalf of Complainant:

Smith R. Brittingham IV
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP
901 New York Avenue, NW
Washington, DC 20001

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

Respondents:

Hewlett-Packard Company
3000 Hanover Street
Palo Alto, CA 94304-1185

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

Apple Inc.
1 Infinite Loop
Cupertino, CA 95014

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

Aruba Networks, Inc.
1344 Crossman Avenue
Sunnyvale, CA 94089-1113

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

**CERTAIN WIRELESS COMMUNICATION DEVICES AND
SYSTEMS, COMPONENTS THEREOF, AND PRODUCTS
CONTAINING SAME**

Inv. No. 337-TA-775

Certificate of Service – Page 2

Respondents (cont.):

Meru Networks
894 Ross Drive
Sunnyvale, CA 94089

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

Ruckus Wireless
880 West Maude Avenue, Suite 101
Sunnyvale, CA 94085

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

Government Agencies:

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

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

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

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



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 3, 2011

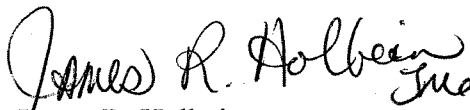
Linex Technologies, Inc.
13046 Redon Dr.
Palm Beach Gardens, FL 33410

**Re: Certain Wireless Communication Devices and Systems, Components
Thereof, and Products Containing Same
Inv. No. 337-TA-775**

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 3, 2011

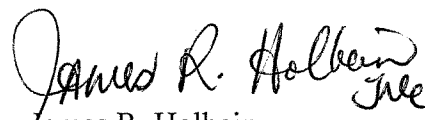
Smith R. Brittingham IV
Finnegan, Henderson, Farabow, Garrett & Dunner LLP
901 New York Avenue, NW
Washington, DC 20001

**Re: Certain Wireless Communication Devices and Systems, Components
Thereof, and Products Containing Same
Inv. No. 337-TA-775**

Dear Mr. Brittingham:

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.

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James R. Holbein
Secretary

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UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 3, 2011

Hewlett-Packard Company
3000 Hanover Street
Palo Alto, CA 94304-1185

**Re: Certain Wireless Communication Devices and Systems, Components
Thereof, and Products Containing Same
Inv. No. 337-TA-775**

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). **Hewlett-Packard Company** 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,

A handwritten signature in cursive script that reads "James R. Holbein".

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
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UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 3, 2011

Apple Inc.
1 Infinite Loop
Cupertino, CA 95014

**Re: Certain Wireless Communication Devices and Systems, Components
Thereof, and Products Containing Same
Inv. No. 337-TA-775**

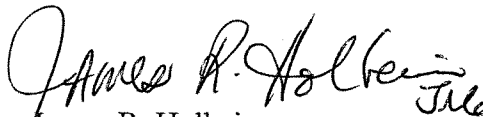
Dear Sir/Madam:

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). **Apple 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.

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James R. Holbein
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UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 3, 2011

Aruba Networks, Inc.
1344 Crossman Avenue
Sunnyvale, CA 94089-1113

**Re: Certain Wireless Communication Devices and Systems, Components
Thereof, and Products Containing Same
Inv. No. 337-TA-775**

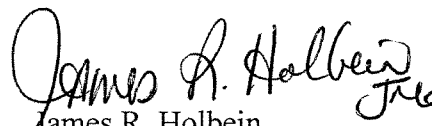
Dear Sir/Madam:

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). **Aruba Networks, 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.

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UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 3, 2011

Meru Networks
894 Ross Drive
Sunnyvale, CA 94089

**Re: Certain Wireless Communication Devices and Systems, Components
Thereof, and Products Containing Same
Inv. No. 337-TA-775**


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). **Meru Networks** 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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UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 3, 2011

Ruckus Wireless
880 West Maude Avenue, Suite 101
Sunnyvale, CA 94085

**Re: Certain Wireless Communication Devices and Systems, Components
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Inv. No. 337-TA-775**

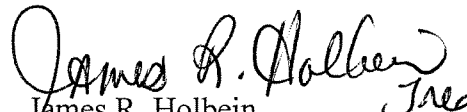
Dear Sir/Madam:

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). **Ruckus Wireless** 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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UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 3, 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 Wireless Communication Devices and Systems, Components
Thereof, and Products Containing Same
Inv. No. 337-TA-775**

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,

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

James R. Holbein
Secretary

Enclosure:

1. Notice of Investigation



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 3, 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

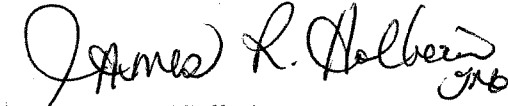
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If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,


James R. Holbein
Secretary

Enclosure:

1. Notice of Investigation



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

June 3, 2011

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

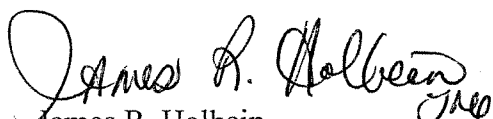
**Re: Certain Wireless Communication Devices and Systems, Components
Thereof, and Products Containing Same
Inv. No. 337-TA-775**

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 3, 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

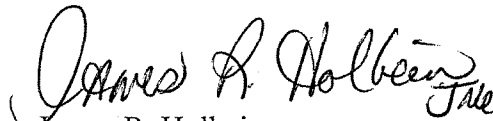
**Re: Certain Wireless Communication Devices and Systems, Components
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Inv. No. 337-TA-775**

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