

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN ELECTRONIC DEVICES,
INCLUDING SMARTPHONES,
COMPUTERS, TABLET COMPUTERS,
AND COMPONENTS THEREOF**

Inv. No. 337-TA-1373

ORDER NO: 60:

**INITIAL DETERMINATION GRANTING JOINT
MOTION TO TERMINATE THE INVESTIGATION
[MOTION DOCKET NO. 1373-058]**

(November 22, 2024)

On October 22, 2024, Complainants InterDigital, Inc., InterDigital VC Holdings, Inc., InterDigital Patent Holdings, Inc., and InterDigital Madison Patent Holdings SAS (collectively, “Complainants” or “InterDigital”) and Respondents Lenovo PC HK Limited, Lenovo (United States) Inc., and Motorola Mobility LLC (collectively, “Respondents” and, with InterDigital, “the Private Parties”) filed a joint motion to terminate this investigation based on arbitration. (Motion Docket No. 1373-058).¹ On November 1, 2024, Staff filed a Response supporting the Motion (“Staff’s Response”). (EDIS Doc. ID No. 836205).

An unredacted confidential copy of the Private Parties arbitration agreement is attached to the Motion as Exhibit A (“Arbitration Agreement”). A redacted, non-confidential copy is attached as Exhibit B. The Private Parties represent that the Arbitration Agreement “reflects the entire and only agreement between Complainants and Respondents regarding the subject matter of this Investigation. There are no other agreements, written or oral, express or implied, between Complainants and Respondents concerning the subject matter of this Investigation.” (Mot. at 1).

¹ The Motion contains the required certification under Ground Rule 2.2 and represents that counsel for the Office of Unfair Import Investigations (“Staff” and, with the Private Parties, “the Parties”) will take a position after reviewing the Motion. (Motion at 2).

PUBLIC VERSION

Staff supports granting the Motion. Staff agrees that a valid arbitration agreement exists, the Commission's rules for motions to terminate based on arbitration have been adhered to, and terminating the investigation based on arbitration would not be contrary to the public interest. (Staff's Response at 3-4).

According to the Commission's rules, any party may move "at any time to terminate an investigation in whole or in part as to any or all respondents on the basis of a settlement, a licensing or other agreement, including an agreement to present the matter for arbitration, or a consent order, as provided in paragraphs (b), (c) and (d) of this section. 19 C.F.R. § 210.21(a)(2). Paragraph (d) provides that, upon filing of such a motion with the administrative law judge or the Commission, "a section 337 investigation may be terminated as to one or more respondents pursuant to section 337(c) of the Tariff Act of 1930 on the basis of an agreement between complainants and one or more of the respondents to present the matter for arbitration." 19 C.F.R. § 210.21(d).

The Motion, (Motion Docket NO. 1373-058), is **GRANTED**. It is an initial determination that this Investigation should be, and hereby is, terminated.

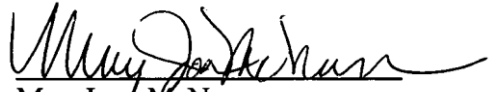
Within fourteen (14) days of the date of this document, each party shall submit to the Office of the Administrative Law Judges through McNamara337@usitc.gov a statement whether it seeks to have any confidential portion of this document redacted. That is the courtesy copy pursuant to Ground Rule 1.3.2. Any party seeking redactions to the public version must submit to this office through McNamara337@usitc.gov a copy of a proposed public version of this document pursuant to Ground Rule 1.10 with yellow highlighting clearly indicating any portion asserted to contain confidential business information.

This Initial Determination is hereby certified to the Commission. Pursuant to 19 C.F.R.

PUBLIC VERSION

§ 210.42(h), this Initial Determination shall become the determination of the Commission unless a party files a petition for review of the Initial Determination pursuant to 19 C.F.R. § 210.43(a), or the Commission orders on its own motion a review of the Initial Determination or certain issues herein pursuant to 19 C.F.R. § 210.44.

SO ORDERED.



MaryJoan McNamara
Administrative Law Judge