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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1432]

Certain Mobile Electronic Devices; Notice of the Commission's Final Determination Finding a Violation of Section 337; Issuance of a Limited Exclusion Order and a Cease and Desist Order; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission ("Commission") has found a violation of section 337 as to U.S. Patent No. 11,490,004 ("the '004 patent") in the above-captioned investigation, and no violation as to U.S. Patent Nos. 11,509,953 ("the '953 patent"); 11,445,241 ("the '241 patent"); 12,108,103 ("the '103 patent"); and 8,130,280 ("the '280 patent"). The Commission has determined to issue: a limited exclusion order ("LEO") prohibiting entry of products that infringe claims 1 and 10 of the '004 patent that are imported by or on behalf of respondents Samsung Electronics Co., Ltd. of Suwon-Shi, Republic of Korea and Samsung Electronics America, Inc. ("SEA") of Ridgefield Park, New Jersey (collectively, "Samsung"), and a cease and desist order ("CDO") against SEA. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Namo Kim, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3459. 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*. 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 this investigation on January 23, 2025, based on a complaint filed by Maxell, Ltd. of Kyoto, Japan ("Maxell"). 90 FR

8032-33 (Jan. 23, 2025). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("section 337"), based on the importation into the United States, the sale for importation, and the sale within the United States after importation of certain mobile electronic devices by reason of the infringement of certain claims of U.S. Patent No. 11,750,915 ("the '915 patent"), the '004 patent, the '953 patent, the '241 patent, the '103 patent, and the '280 patent. *Id*. The complaint further alleges that a domestic industry exists. *Id*. The notice of investigation names Samsung as respondents. *Id*. The Office of Unfair Import Investigations is not named as a party to the investigation. *Id*.

On March 10, 2025, the Commission amended the complaint and notice of investigation to allege a violation of section 337 based on infringement of additional claims 15 and 24 of the '241 patent. Order No. 6 (Feb. 21, 2025); *unreviewed by* Comm'n Notice (March 10, 2025).

On September 25, 2025, the Commission granted in part Maxell's motion for summary determination that Samsung cannot sustain its prosecution laches defense. Order No. 18 (Sept. 2, 2025); *unreviewed by* Comm'n Notice (Sept. 25, 2025).

On February 3, 2026, the Commission terminated the investigation as to claims 2, 4, 7-9, 11, 12, 14-20 of the '004 patent, claims 1, 3-8, 10-29 of the '953 patent, claims 1-3, 6, 8-14, 17-27 of the '241 patent, claims 2, 3, 5-7, 9, 11-21 of the '103 patent, claims 2-11, 15-17 of the '280 patent, and all asserted claims of the '915 patent. Order No. 27 (Jan. 2, 2026), *unreviewed by* Comm'n Notice (Feb. 3, 2026).

On July 1, 2026, the presiding administrative law judge ("ALJ") issued the final initial determination ("FID"), finding that there is a violation of section 337 based on infringement of the '004 patent by certain accused products (but not the redesigned products), and no violation of section 337 with respect to the '953, '241, '103, and '280 patents.

The FID also includes a recommended determination ("RD") on remedy and bonding, and recommends, should the Commission find a violation of section 337, that the Commission issue: (1) an LEO against respondents Samsung with a service, warranty, and repair exemption;

and (2) a CDO against SEA. The RD recommends that the Commission set the bond at zero percent (0%) during the period of Presidential review.

On July 8, 2026, the Commission published a *Federal Register* notice seeking submissions on public interest issues raised by the relief recommended by the ALJ should the Commission find a violation. 91 FR 42248-49 (July 8, 2026). No responses from the public were filed.

On July 13, 2026, Maxell petitioned for Commission review of the FID's findings concerning non-infringement of Samsung's redesigned products as to the '004 patent, and the finding of no violation as to the '953, '241, and '103 patents. On the same day, Samsung petitioned for Commission review of the FID's findings that support a violation of section 337 based on infringement of the '004 patent. Samsung also contingently petitioned for Commission review of certain of the FID's findings related to the '953, '241, '103, and '280 patents.

On July 21, 2026, Maxell and Samsung filed responses to each other's petition for Commission review. On August 6, 2026, Maxell and Samsung each filed statements on public interest.

On August 31, 2026, the Commission issued a notice determining to review the FID in part and requesting written submissions on the issues under review as well as remedy, the public interest, and bonding. 91 FR 56667-69 (Sep. 3, 2026) ("Review Notice"). Specifically, the Commission determined to review: (1) the entirety of the FID's findings with respect to the '004, '953, '241, and '103 patents, and (2) the FID's findings on the economic prong of the domestic industry requirement for the '280 patent.

On September 14, 2026, Maxell and Samsung filed their written submissions in response to the Review Notice. On September 21, 2026, Maxell and Samsung filed their replies to each other's written submissions.

On October 2, 2026, Samsung filed a motion to strike Maxell's estoppel argument raised in its reply to Samsung's written submission based on waiver. On October 9, 2026, Maxell filed

an opposition to Samsung's motion to strike.

Having reviewed the record of the investigation, including the FID and the parties' submissions, the Commission has determined to find a violation of section 337 as to the '004 patent, and no violation as to the other asserted patents (*i.e.*, the '953, '241, '103, and '280 patents). The Commission issues its opinion herewith setting forth its determinations. As set forth in the opinion, the Commission has determined to affirm in part the FID and take no position on certain issues. The Commission has also determined to deny Samsung's motion to strike as moot.

For the '004 patent, the Commission has determined to affirm the FID's finding of a violation of section 337 by modifying or supplementing the FID's findings on claim construction, infringement, invalidity, and the domestic industry requirement.

For the '953 patent, the Commission has determined to affirm the FID's finding of no violation of section 337 by supplementing the FID's findings on claim construction, infringement, and the technical prong of the domestic industry requirement. The Commission has also determined to reverse the FID's invalidity findings regarding asserted claim 9 of the '953 patent and finds the claim invalid. The Commission has determined to take no position on the FID's findings on invalidity for the other asserted claims and the economic prong of the domestic industry requirement as to the '953 patent.

For the '241 patent, the Commission has determined to affirm the FID's finding of no violation of section 337 by supplementing the FID's findings on claim construction, infringement, and the technical prong of the domestic industry requirement. The Commission has determined to take no position on the FID's findings on invalidity and the economic prong of the domestic industry requirement as to the '241 patent.

For the '103 patent, the Commission has determined to affirm the FID's finding of no violation of section 337 by supplementing the FID's claim construction findings. The Commission has also determined to affirm the FID's findings of non-infringement. The

Commission has determined to take no position on the FID's findings on invalidity, the technical prong and the economic prong of the domestic industry requirement as to the '103 patent.

For the '280 patent, the Commission has determined to take no position on the economic prong of the domestic industry requirement. The Commission had previously determined not to review the remainder of the FID as to the '280 patent.

The Commission has determined that the appropriate form of relief is an LEO prohibiting the unlicensed entry of infringing mobile electronic devices that are manufactured by or on behalf of Samsung or any of their affiliated companies, parents, subsidiaries, or other related business entities, or their successors or assigns. The Commission has also determined to issue a CDO as to SEA. The Commission has determined to include an exemption to the remedial orders for service or repair or, under warranty terms, replacement of products purchased prior to the end of the Presidential review period.

The Commission has further determined that the public interest factors enumerated in subsections (d)(l) and (f)(1) (19 U.S.C. 1337(d)(l), (f)(1)) do not preclude issuance of the above referenced remedial orders. Additionally, the Commission has determined to impose a bond of zero percent (0%) (*i.e.*, no bond) of entered value of the covered products during the Presidential review period (19 U.S.C. 1337(j)). The investigation is terminated.

The Commission vote for this determination took place on November 24, 2026.

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 By order of the Commission.

Issued: November 24, 2026.

Sharon Bellamy,

Supervisory and Hearings and Information Officer.

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