

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

CERTAIN NOISE CANCELLING
HEADPHONES AND COMPONENTS
THEREOF

Inv. No. 337-TA-927

Order No. 5

By publication of a notice in the *Federal Register* on September 2, 2014, pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, the Commission instituted this investigation to determine:

[W]hether 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 noise cancelling headphones and components thereof by reason of infringement of one or more of claims 1-3, 5-7, 9-12, 14-16, 18, and 19 of the '537 patent [U.S. Patent No. 6,717,537]; claims 14, 22, and 23 of the '150 patent [U.S. Patent No. 8,073,150]; claims 14, 18, 23, and 25 of the '151 patent [U.S. Patent No. 8,073,151]; claims 1, 4, 6, 15, 16, and 18 of the '992 patent [U.S. Patent No. 8,054,992]; and claims 1, 2, 5-9, 11-14, and 16 of the '888 patent [U.S. Patent No. 8,345,888], and whether an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337.

79 Fed. Reg. 52041 (Sep. 2, 2014).

The complainant is Bose Corporation of Framingham, Massachusetts. *Id.* The named respondents are Beats Electronics, LLC of Culver City, California; Beats Electronics International, Ltd. of Dublin, Ireland; Fugang Electronic (Dong Guan) Co., Ltd. of Guang-Dong, China; and PCH International Ltd. of Cork, Ireland. *Id.* The Office of Unfair Import Investigations is also a party to this investigation. *Id.*

Commission Rule 210.51 provides, in relevant part: “Within 45 days after institution of an original investigation on whether there is a violation of section 337 . . . the administrative law judge shall issue an order setting a target date for completion of the investigation.” 19 C.F.R. § 210.51(a).

Based upon the complaint, the notice of investigation, and the motions currently pending before the administrative law judge, it is determined that the target date for completion of this investigation is January 2, 2015, which is four months after institution of this investigation.



David P. Shaw
Administrative Law Judge

Issued: October 14, 2014

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PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER NO. 5** has been served by hand upon the Commission Investigative Attorney, **Vu Q. Bui, Esq.**, and the following parties as indicated, on _____

OCT 14 2014



Lisa R. Barton, Acting Secretary
U.S. International Trade Commission
500 E Street SW, Room 112A
Washington, DC 20436

FOR COMPLAINANT BOSE CORPORATION:	
Charles H. Sanders, Esq. GOODWIN PROCTER LLP Exchange Place 53 State Street Boston, MA 02109	<input type="checkbox"/> Via Hand Delivery <input type="checkbox"/> Express Delivery <input checked="" type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____
FOR RESPONDENTS BEATS ELECTRONICS, LLC; BEATS ELECTRONICS INTERNATIONAL; FUGANG ELECTRONIC (DONG GUAN) CO., LTD.; AND P.C.H. INTERNATIONAL:	
Celine Jimenez Crowson, Esq. HOGAN LOVELLS US LLP 555 Thirteenth Street, N.W. Washington, DC 20004	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Express Delivery <input checked="" type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____