

PUBLIC VERSION

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

In the Matter of

**CERTAIN MOBILE TELEPHONES AND
WIRELESS COMMUNICATIONS DEVICES
FEATURING DIGITAL CAMERAS, AND
COMPONENTS THEREOF**

Inv. No. 337-TA-663

**RECOMMENDED DETERMINATION
ON REMEDY AND BONDING
Administrative Law Judge Carl C. Charneski**

On December 17, 2009, an Initial Determination (“ID”) issued in this investigation, finding that a violation of 19 U.S.C. § 1337 has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation, of certain Samsung mobile telephones or wireless communication devices featuring digital cameras, or components thereof, that infringe claims 1, 4, and 12 of United States Patent No. 5,493,335, and claims 15 and 23-27 of United States Patent No. 6,292,218.¹ Pursuant to the notice of investigation, 73 Fed. Reg. 77061 (2008), and the Commission’s Rules, this is the Recommended Determination on Remedy and Bonding. 19 C.F.R. § 210.42(a)(1)(ii).

¹ The complainant is Eastman Kodak Company (“Kodak”) of Rochester, New York. The respondents are Samsung Electronics Company, Ltd. of Seoul, Korea; Samsung Electronics America, Inc. of Ridgefield Park, New Jersey; and Samsung Telecommunications America, LLC of Richardson, Texas (collectively “Samsung”).

It is recommended that the Commission enter a limited exclusion order against the infringing Samsung products. *See* 19 U.S.C. § 1337(d). Contrary to respondents' arguments, Samsung mobile telephones are not downstream products. They are expressly named in the notice of investigation.

It is further recommended that the Commission issue a cease and desist order. *See* 19 U.S.C. § 1337(f)(1). [

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Finally, as requested by the Investigative Attorney, it is recommended that in order to prevent Kodak from suffering any injury, Samsung should be required to post a [] bond for importation of accused products during the Presidential review period.² [

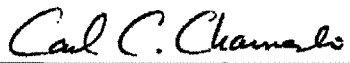
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To expedite service of the public version, counsel for each party shall file by no later than January 5, 2010, a copy of this RD with those sections considered by the party to be confidential

² The purpose of the bond is to protect a complainant from any injury. *See* 19 U.S.C. § 1337(j)(3); 19 C.F.R. § 210.42(a)(1)(ii), § 210.50(a)(3).

bracketed in red, or if confidential treatment is not requested for any portion of this RD, a statement to that effect.

SO ORDERED.



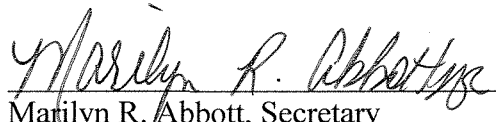
Carl C. Charneski
Administrative Law Judge

Issued: December 23, 2009

**CERTAIN MOBILE TELEPHONES AND WIRELESS
COMMUNICATION DEVICES FEATURING DIGITAL 337-TA-663
CAMERAS, AND COMPONENTS THEREOF**

PUBLIC CERTIFICATE OF SERVICE

I, Marilyn R. Abbott, hereby certify that the attached **RECOMMENDED DETERMINATION** has been served by hand upon the Commission Investigative Attorneys, Erin D Joffre, Esq., Vu Q. Bui, Esq. and the following parties as indicated, on MAR 09 2010.


Marilyn R. Abbott, Secretary
U.S. International Trade Commission
500 E Street, SW, Room 112A
Washington, D.C. 20436

<p><u>ON BEHALF OF COMPLAINANT EASTMAN KODAK COMPANY:</u></p> <p>Nina S. Tallon, Esq. WILMER CUTLER PICKERING HALE AND DORR LLP 1875 Pennsylvania Ave., N.W. Washington, D.C. 20006</p>	<p>() Via Hand Delivery (<input checked="" type="checkbox"/>) Via Overnight Mail () Via First Class Mail () Other: _____</p>
<p><u>ON BEHALF OF RESPONDENTS LG ELECTRONICS, INC., LG ELECTRONCIS USA, INC., AND LG ELECTRONICS MOBILECOMM USA, INC.:</u></p> <p>Michael J. McKeon, Esq. FISH & RICHARDSON P.C. 1425 K Street, NW, 11th Floor Washington, DC 20005</p>	<p>() Via Hand Delivery (<input checked="" type="checkbox"/>) Via Overnight Mail () Via First Class Mail () Other: _____</p>

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COMMUNICATION DEVICES FEATURING DIGITAL 337-TA-663
CAMERAS, AND COMPONENTS THEREOF**

<p>ON BEHALF OF SAMSUNG ELECTRONICS COMAPNY, LTD., SAMSUNG ELECTRONICS AMERICA, INC. AND SAMSUNG TELECOMMUNICATIONS AMERICA, INC.</p> <p>Mark G. Davis, Esq. WEIL, GOTSHAL & MANGES LLP 1300 Eye Street, NW Suite 900 Washington, DC 20005</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Overnight Mail <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
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