

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN IOT DEVICES AND
COMPONENTS THEREOF (IOT, THE
INTERNET OF THINGS) – WEB
APPLICATIONS DISPLAYED ON A WEB
BROWSER**

Inv. No. 337-TA-1094

**ORDER NO. 3: SETTING THE PROCEDURAL SCHEDULE FOR EARLY
DETERMINATION ON THE DOMESTIC INDUSTRY
REQUIREMENT**

(January 23, 2018)

In its Notice of Institution, the Commission ordered the undersigned to determine whether the Complainant has satisfied the domestic industry requirement:

Notwithstanding any Commission Rules that would otherwise apply, the presiding Administrative Law Judge shall hold an early evidentiary hearing, find facts, and issue an early decision, as to whether the complainant has satisfied the domestic industry requirement. Any such decision shall be in the form of an initial determination (ID). Petitions for review of such an ID shall be due five calendar days after service of the ID; any replies shall be due three business days after service of a petition. The ID will become the Commission's final determination 30 days after the date of service of the ID unless the Commission determines to review the ID. Any such review will be conducted in accordance with Commission Rules 210.43, 210.44, and 210.45, 19 CFR 210.43, 210.44, and 210.45. The Commission expects the issuance of an early ID relating to the domestic industry requirement within 100 days of institution, except that the presiding ALJ may grant a limited extension of the ID for good cause shown. The issuance of an early ID finding that complainants do not satisfy the domestic industry requirement shall stay the investigation unless the Commission orders otherwise; any other decision shall not stay the investigation or delay the issuance of a final ID covering the other issues of the investigation.

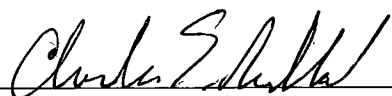
83 Fed. Reg. 3021-3022 (Jan. 22, 2018).

Under the Commission's 100-day timeline, the undersigned anticipates the procedural schedule to be as follows:

<u>Event</u>	<u>Deadline Date</u>
Fact discovery (on domestic industry analysis only)	January 29 – February 16, 2018
Expert discovery (on domestic industry analysis only)	February 20 – March 2, 2018
Submit and serve exhibits (including witness statements) – all parties	March 7, 2018
File pre-trial statements and briefs – all parties	March 9, 2018
Pre-trial conference	March 14, 2018 at 10:00 am
Hearing ¹	March 14-15, 2018
File initial post-trial briefs and final exhibit lists	March 23, 2018
File reply post-trial briefs	March 30, 2018
Initial Determination	May 2, 2018

The parties are hereby ordered to meet and confer and file a joint submission on the undersigned's proposed procedural schedule within seven days of the date of this Order.

SO ORDERED.



Charles E. Bullock
Chief Administrative Law Judge

¹ The parties will be informed of the location of the hearing at a later date.

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Certificate of Service – Page 1

I, Lisa R. Barton, hereby certify that the attached **ORDER NO. 3** has been served by hand upon the Commission Investigative Attorney, **Jeffrey Hsu, Esq.**, and the following parties as indicated, on **January 23, 2018**.



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

On Behalf of Complainants Lakshmi-Arunachalam, Ph.D.;
WebXchange, Inc.:

Dr. Lakshmi Arunachalam
222 Stanford Ave.
Menlo Park, CA 94025

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

Respondents:

Apple Inc.
1 Infinite Loop
Cupertino, CA 95014

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

Facebook, Inc.
1 Hacker Way
Menlo Park, CA 94025

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

Samsung Electronics America, Inc.
85 Challenger Road,
Ridgefield Park, NJ 07760

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

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Samsung Electronics Co., Ltd.
129, Samsung-ro, Yeongtong-gu, Suwon-si,
Gyeonggi-do
Korea

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