

after publication of this notice in the **Federal Register**. Complainant may file replies to any written submissions no later than three calendar days after the date on which any initial submissions were due, notwithstanding § 201.14(a) of the Commission's Rules of Practice and Procedure. No other submissions will be accepted, unless requested by the Commission. Any submissions and replies filed in response to this Notice are limited to five (5) pages in length, inclusive of attachments.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. Submissions should refer to the docket number ("Docket No. 3837") in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, Electronic Filing Procedures<sup>1</sup>). Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, <https://edis.usitc.gov>.) No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice. Persons with questions regarding filing should contact the Secretary at [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel,<sup>2</sup> solely for cybersecurity

purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.<sup>3</sup>

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: July 8, 2025.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2025–12879 Filed 7–9–25; 8:45 am]

**BILLING CODE 7020–02–P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1120 (Rescission)]

### Certain Human Milk Oligosaccharides and Methods of Producing the Same; Notice of Commission Decision To Institute a Rescission Proceeding and To Rescind the Limited Exclusion Order; Termination of the Rescission Proceeding

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission ("the Commission") has determined to institute a rescission proceeding and to rescind the limited exclusion order issued in the underlying investigation. The rescission proceeding is terminated.

#### FOR FURTHER INFORMATION CONTACT:

Houda Morad, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708–4716. 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](mailto: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 on (202) 205–1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation

on June 21, 2018, based on a complaint filed by Glycosyn LLC of Waltham, Massachusetts ("Complainant"). See 83 FR 28865–66 (June 21, 2018). The complaint, as amended and supplemented, alleged violations of section 337 the Tariff Act, as amended, 19 U.S.C. 1337 ("section 337") based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain human milk oligosaccharides and methods of producing the same, by reason of infringement of certain claims of U.S. Patent Nos. 9,453,230 ("the '230 patent") and 9,970,018 ("the '018 patent"). The notice of investigation named as respondent in this investigation: Jennewein Biotechnologie GmbH of Rheinbreitbach, Germany, now Chr. Hansen HMO GmbH ("Respondent"). See *id.* The Office of Unfair Import Investigations was also a party to the investigation. See *id.*

The Commission previously terminated the '230 patent in its entirety and certain claims of the '018 patent. See Order No. 5 (Aug. 9, 2018), *unreviewed by Comm'n Notice* (Aug. 29, 2018); Order No. 15 (Oct. 30, 2018), *unreviewed by Comm'n Notice* (Nov. 29, 2018); Order No. 17 (Nov. 19, 2018), *unreviewed by Comm'n Notice* (Dec. 12, 2018); Order No. 25 (Feb. 8, 2019), *unreviewed by Comm'n Notice* (Feb. 28, 2019).

On May 19, 2020, the Commission issued a final determination finding a violation of section 337 based on patent infringement of certain claims of the '018 patent with respect to certain bacterial strains. The Commission issued a limited exclusion order barring the unlicensed entry of certain human milk oligosaccharides that are imported by or on behalf of Respondent and that are produced with the infringing strains. On September 17, 2021, the United States Court of Appeals for the Federal Circuit affirmed the Commission's final determination. See *Jennewein Biotechnologie GmbH v. ITC*, No. 20–2220, 2021 WL 4250784 (Fed. Cir. Sept. 17, 2021) (unpublished).

On June 6, 2025, Complainant filed an unopposed petition to rescind the limited exclusion order based on a settlement agreement between Complainant and Respondent. No response to the petition was received.

As stated in the Commission Order issued concurrently herewith, the Commission finds that the conditions which led to the issuance of the limited exclusion order no longer exist and, therefore, a rescission of the limited exclusion order is warranted under section 337(k) (19 U.S.C. 1337(k)) and

<sup>1</sup> Handbook for Electronic Filing Procedures: [https://www.usitc.gov/documents/handbook\\_on\\_filing\\_procedures.pdf](https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf).

<sup>2</sup> All contract personnel will sign appropriate nondisclosure agreements.

<sup>3</sup> Electronic Document Information System (EDIS): <https://edis.usitc.gov>.

Commission Rule 210.76(a) (19 CFR 210.76(a)). The Commission has thus determined to institute a rescission proceeding and to rescind the limited exclusion order issued in the underlying investigation. The rescission proceeding is terminated.

The Commission's notice and order were delivered to the Secretary of the Treasury on the day of their issuance.

The Commission's vote for this determination took place on July 7, 2025.

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 Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: July 7, 2025.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2025-12792 Filed 7-9-25; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1329]

### Certain Audio Players and Components Thereof (I); Notice of a Commission Determination To Adopt an Initial Determination Granting Summary Determination of Invalidity and Finding No Violation; Termination of Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission ("Commission") has determined to adopt an initial determination ("ID") (Order No. 39) issued by the presiding administrative law judge ("ALJ") granting respondent's motion for summary determination of invalidity of the asserted patent claims due to indefiniteness. The Commission previously vacated the ID's termination for "good cause." The investigation is terminated with a finding of no violation of section 337.

**FOR FURTHER INFORMATION CONTACT:** Carl P. Bretscher, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2382. 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](mailto: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 on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on September 15, 2022, based on a complaint filed by Google LLC ("Google") of Mountain View, California. 87 FR 56702-703 (Sept. 15, 2022). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("section 337"), in the importation into the United States, sale for importation, or sale in the United States after importation of certain audio players and components thereof by reason of infringement of certain asserted claims of U.S. Patent Nos. 7,705,565 ("the '565 patent"); 10,593,330 ("the '330 patent"); and 10,134,398 ("the '398 patent"). *Id.* The complaint further alleges that a domestic industry exists. *Id.* The Commission's notice of investigation names Sonos, Inc. ("Sonos") of Santa Barbara, California as the sole respondent. *Id.* at 56703. The Office of Unfair Import Investigations was not named as a party to this investigation. *Id.*

On November 2, 2022, the Commission terminated the investigation with respect to the '565 patent. Order No. 7 (Oct. 18, 2022), *unreviewed by Comm'n Notice* (Nov. 2, 2022).

On November 30, 2022, the parties filed a joint claim construction chart, identifying the term "low power mode" among the terms in dispute. The ALJ held a *Markman* hearing on January 19, 2023.

After the *Markman* hearing, the Commission granted the parties' multiple requests for extensions of time, in order to accommodate the U.S. Patent and Trademark Office Patent Trial and Appeal Board's ("PTAB") *inter partes* review ("IPR") of the patents at issue. On May 15, 2024, the PTAB issued two Final Written Decisions ("FWD"), concluding that all of the challenged claims of the asserted patents are unpatentable under 35 U.S.C. 318(a). *Sonos, Inc. v. Google LLC*, IPR2023-00119, Patent No. 10,593,330, Final Written Decision Determining All Challenged Claims Unpatentable (May 15, 2024); *Sonos, Inc. v. Google LLC*, IPR2023-00118, Patent No. 10,134,398,

Final Written Decision Determining All Challenged Claims Unpatentable (May 15, 2024).

On May 17, 2023, Sonos filed a motion for summary determination of invalidity, arguing that the asserted claims of the '330 patent and the '398 patent are, *inter alia*, invalid as indefinite ("First MSD"). Google filed its opposition to Sonos's First MSD on May 30, 2023.

On July 31, 2024, Sonos filed its second motion for summary determination of invalidity ("Second MSD"), arguing that all of the asserted patent claims are invalid as anticipated or obvious. Google filed its opposition to Sonos's Second MSD on August 20, 2024.

On February 4, 2025, the presiding ALJ issued an order (Order No. 35) inviting the parties to file a motion to terminate the investigation in view of the PTAB's two FWDs finding the asserted patent claims "unpatentable" under 35 U.S.C. 318(a). Order No. 35 (Feb. 4, 2025), *clarified in* Order No. 36 (Feb. 19, 2025).

On February 14, 2025, Sonos moved to terminate the investigation for "good cause" in view of the PTAB's FWDs of unpatentability. Google filed its opposition to Sonos's termination motion on February 28, 2025.

On March 7, 2025, the presiding ALJ issued a claim construction order (Order No. 37) finding that the claim term "low power mode," which is used in both of the remaining patents, is indefinite, and the asserted patent claims are thus invalid. Order No. 37 (March 7, 2025).

Also on March 7, 2025, the ALJ issued an order (Order No. 38) denying Sonos' Second MSD because Sonos is estopped from asserting the same prior art in the present investigation that it asserted in the PTAB proceedings. Order No. 38 (March 7, 2025) (citing 35 U.S.C. 315(e)(2)).

Further on March 7, 2025, the ALJ issued the subject ID (Order No. 39) granting Sonos's First MSD of invalidity because the claim term "low power mode" is indefinite. Order No. 39 (March 7, 2025) (citing Order No. 37, *supra*). The ALJ also granted Sonos's motion to terminate the investigation for "good cause" due to the PTAB's two FWDs of unpatentability.

No party timely filed a petition for review of the subject ID.

On April 8, 2025, the Commission reviewed the ID in part and, on review, adopted the ID's finding that the asserted patent claims are invalid as indefinite, but vacated that portion of the ID that terminated the investigation for "good cause." 90 FR 15579-80 (Apr. 14, 2025). The Commission thus