

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

CERTAIN LOCATION-SHARING
SYSTEMS, RELATED SOFTWARE,
COMPONENTS THEREOF, AND
PRODUCTS CONTAINING SAME

Inv. No. 337-TA-1347

**ORDER NO. 7: INITIAL DETERMINATION GRANTING COMPLAINANTS'
UNOPPOSED MOTION FOR LEAVE TO AMEND THE
COMPLAINT AND NOTICE OF INVESTIGATION**

(February 1, 2023)

On January 27, 2023, Complainants AGIS Software Development LLC and Advanced Ground Information Systems, Inc. (collectively, “Complainants”) moved (1347-002) to amend the Complaint and Notice of Investigation to substitute Panasonic Holdings Corporation for presently named Respondent Panasonic Corporation. Complainants represent that the Commission Investigative Staff, Panasonic Corporation, Panasonic Corporation of North America, and Kyocera Corporation do not oppose the motion. Mot. at 1. Respondents Google LLC, ASUSTek Computer Inc., ASUS Computer International, BLU Products, Inc., HMD Global, HMD Global OY, HMD America, Inc., Lenovo Group Ltd., Lenovo (United States) Inc., Motorola Mobility LLC, OnePlus Technology (Shenzhen) Co., Ltd, Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., Sony Corporation, Sony Mobile Communications, Inc., TCL Technology Group Corporation, TCL Communication Technology Holdings Limited, TCL Electronics Holdings Limited, TCL Mobile (US) Inc., Xiaomi Corporation, Xiaomi H.K. Ltd., Xiaomi Communications Co., Ltd., and Xiaomi Inc. have indicated that they take no position on the motion. *Id.* at 1-2.

Complainants explain that they learned that “Panasonic Holdings Corporation and Panasonic Corporation of North America are the Panasonic entities that are involved in

making/selling the accused Panasonic Toughbook products.” *Id.* at 2-3 (quoting Mot. Ex. 1). Complainants assert that “good causes exists to substitute Panasonic Holdings Corporation for presently named Respondent Panasonic Corporation” and that doing so “will not require any modification to the procedural schedule or prejudice the public interest or the rights of the parties in this Investigation.” *Id.* at 2.

Commission Rule 210.14(b) governs amendments to the Complaint and Notice of Investigation post-institution. It reads, *inter alia*:

After an investigation has been instituted, the complaint or notice of investigation may be amended only by leave of the Commission for good cause shown and upon such conditions as are necessary to avoid prejudicing the public interest and the rights of the parties to the investigation. . . . If the proposed amendment of the complaint would require amending the notice of investigation, the presiding administrative law judge may grant the motion only by filing with the Commission an initial determination. All other dispositions of such motions shall be by order.

19 C.F.R. § 210.14(b). I find that good cause exists for amending the complaint to substitute Panasonic Holdings Corporation in place of named Respondent Panasonic Corporation. Specifically, I find that amending the Complaint and Notice of Investigation to reflect the proper name of the Respondent will aid in the development of the Investigation and is necessary to avoid prejudicing the public interest and rights of the parties to the Investigation.

Accordingly, it is my initial determination that Complainants’ motion (1347-002) to amend the Complaint and Notice of Investigation be granted. This Initial Determination, along with supporting documentation, is hereby certified to the Commission.

Pursuant to 19 C.F.R. § 210.42(h), this Initial Determination shall be the determination of the Commission unless a party files a petition for review of the Initial Determination pursuant to 19 C.F.R. § 210.43(a), or the Commission, pursuant to 19 C.F.R. § 210.44 orders, on its own motion, a review of the Initial Determination or certain issues herein.

SO ORDERED.



Bryan F. Moore

Administrative Law Judge