

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC

Before the Honorable \_\_\_\_\_  
Administrative Law Judge

In the Matter of

CERTAIN AUDIO PROCESSING  
HARDWARE, SOFTWARE, AND PRODUCTS  
CONTAINING THE SAME

Investigation No. 337-TA-\_\_\_\_

**VERIFIED COMPLAINT UNDER SECTION 337  
OF THE TARIFF ACT OF 1930, AS AMENDED**

**COMPLAINANT:**

Andrea Electronics Corp.  
620 Johnson Avenue  
Suite 1B  
Bohemia, NY 11716  
Tel: 631-719-1800

**COUNSEL FOR COMPLAINANT:**

Goutam Patnaik  
Tuhin Ganguly  
David J. Shaw  
Pepper Hamilton LLP  
Hamilton Square  
600 Fourteenth Street, N.W.  
Washington, DC 20005-2004  
Tel: 202-220-1200  
Fax: 202-220-1665

William D. Belanger  
Frank D. Liu  
Pepper Hamilton LLP  
19th Floor, High Street Tower  
125 High Street  
Boston, MA 02110-2736  
Tel: 617-204-5100  
Fax: 617-204-5150

**RESPONDENTS:**

Apple Inc.  
1 Infinite Loop  
Cupertino, CA 95014  
Tel: 408-996-1010

Samsung Electronics Co., Ltd.  
129, Samsung-ro, Yeongtong-gu,  
Suwon-si, Gyeonggi-do, Korea  
Tel: 82-2-2255-0114

Samsung Electronics America, Inc.  
85 Challenger Road,  
Ridgefield Park, NJ 07660  
Tel: 201-229-4000

**TABLE OF CONTENTS**

I. INTRODUCTION ..... 1

II. THE PARTIES..... 3

    A. Complainant..... 3

    B. Respondents ..... 7

        1. Apple Inc..... 7

        2. Samsung Electronics Co., Ltd..... 7

        3. Samsung Electronics America, Inc..... 8

III. THE ASSERTED PATENTS ..... 8

    A. The '607 Patent ..... 9

        1. Foreign Counterparts to the '607 Patent ..... 9

    B. The '345 Patent ..... 10

        1. Foreign Counterparts to the '345 Patent ..... 10

    C. The '637 Patent ..... 11

        1. Foreign Counterparts to the '637 Patent ..... 11

    D. Licenses and Other Rights Regarding the Asserted Patents ..... 12

IV. NON-TECHNICAL DESCRIPTION OF THE PATENTED TECHNOLOGY ..... 12

    B. The '607 Patent – Interference Canceling Method and Apparatus..... 12

    C. The '345 Patent – System, Method and Apparatus for Cancelling Noise ..... 13

    D. The '637 Patent – Sub-Band Exponential Smoothing Noise Canceling System..... 13

V. UNFAIR ACTS OF THE RESPONDENTS ..... 14

    A. Infringement..... 14

        1. The '607 Patent ..... 15

            a. Apple..... 15

            b. Samsung..... 17

        2. The '345 Patent ..... 20

            a. Apple..... 20

            b. Samsung..... 23

        3. The '637 Patent ..... 26

            a. Apple..... 26

            b. Samsung..... 28

    B. Specific Instance of Sale and Importation ..... 31

        1. Apple..... 31

        2. Samsung..... 31

VI. HARMONIZED TARIFF SCHEDULE INFORMATION ..... 32

VII. RELATED LITIGATION ..... 33

VIII. DOMESTIC INDUSTRY RELATING TO THE ASSERTED PATENTS ..... 34

    A. Andrea’s Significant Investment in Plant and Equipment..... 35

    B. Andrea’s Significant Employment of Labor and Capital ..... 35

C. Andrea’s Substantial Investment in the Exploitation of the Asserted Patents ..... 35

D. Andrea’s Practice of the Asserted Patents ..... 36

IX. RELIEF ..... 36

## EXHIBIT LIST

Exhibit 1	U.S. Patent No. 6,049,607
Exhibit 2	U.S. Patent No. 6,363,345
Exhibit 3	U.S. Patent No. 6,377,637
Exhibit 4	Assignment Record for U.S. Patent No. 6,049,607
Exhibit 5	Assignment Record for U.S. Patent No. 6,363,345
Exhibit 6	Assignment Record for U.S. Patent No. 6,377,637
Exhibit 7	Claim Chart Comparing '607 Patent to Apple iPhone 6S Product
Exhibit 8	Claim Chart Comparing '607 Patent to Samsung Galaxy S7 Product
Exhibit 9	Claim Chart Comparing '345 Patent to Apple iPhone 6S Product
Exhibit 10	Claim Chart Comparing '345 Patent to Samsung Galaxy S7 Product
Exhibit 11	Claim Chart Comparing '637 Patent to Apple iPhone 6S Product
Exhibit 12	Claim Chart Comparing '637 Patent to Samsung Galaxy S7 Product
Exhibit 13	Photograph(s) of Apple iPhone 6S Product
Exhibit 14	Receipt for Apple iPhone 6S Product
Exhibit 15	User Interface for Activating Infringing Functionality(ies) in Apple iPhone 6S Product
Exhibit 16	Photograph(s) of Samsung Galaxy S7 Product
Exhibit 17	Receipt for Samsung Galaxy S7 Product
Exhibit 18	(Confidential) May 13, 2015 letter from Andrea to Apple
Exhibit 19	(Confidential) May 13, 2015 letter from Andrea to Samsung
Exhibit 20	(Confidential) Declaration of Corisa Guiffre
Exhibit 21	(Confidential) Licensees to the Asserted Patents
Exhibit 22	(Confidential) List of Andrea Domestic Industry Products and Asserted Patents
Exhibit 23	(Confidential) Claim Chart Comparing '607 Patent to Andrea Electronics Product
Exhibit 24	(Confidential) Claim Chart Comparing '345 Patent to Andrea Electronics Product
Exhibit 25	(Confidential) Claim Chart Comparing '637 Patent to Andrea Electronics Product

**APPENDICES**

- Appendix A U.S. Patent No. 6,049,607 Prosecution History
- Appendix B U.S. Patent No. 6,049,607 Technical References
- Appendix C U.S. Patent No. 6,363,345 Prosecution History
- Appendix D U.S. Patent No. 6,363,345 Technical References
- Appendix E U.S. Patent No. 6,377,637 Prosecution History
- Appendix F U.S. Patent No. 6,377,637 Technical References

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.