

UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON DC

Before the Honorable Theodore R. Essex
Administrative Law Judge

In the Matter of)
)
) Investigation No. 337-TA-982
CERTAIN RF CAPABLE INTEGRATED)
CIRCUITS AND PRODUCTS CONTAINING)
THE SAME)
)
)

**COMPLAINANT PARKERVISION, INC.’S MOTION TO TERMINATE THE
INVESTIGATION BASED ON WITHDRAWAL OF THE COMPLAINT, REQUEST
FOR IMMEDIATE SUSPENSION OF THE PROCEDURAL SCHEDULE,
WAIVER OF GROUND RULE 3.2, AND EXPEDITED RULING**

In light of the Administrative Law Judge’s rulings on the parties’ motions *in limine*, which Complainant ParkerVision, Inc.’s counsel was only able to review on Friday and discuss their impact with its client on Friday evening, ParkerVision respectfully moves pursuant to Commission Rules 210.21(a) (1) and 210.15 and Ground Rule 3 to terminate the Investigation based on withdrawal of the Complaint as to the remaining Respondents in this Investigation.

ParkerVision does not take this action lightly. It was—and remains—fully prepared to try its case based on evidence produced and obtained from Respondents in this Investigation that proves the accused products infringe the asserted claims of the ’528 patent. However, in light of the ALJ’s recent rulings excluding material portions of its infringement evidence, ParkerVision has determined that it can no longer proceed with its case-in-chief before the Commission, and that at this point an administrative hearing would not be a justifiable or effective use of anyone’s resources. Therefore, to preserve the resources of the Commission and of the parties, and in light of the evidentiary hearing scheduled to begin on March 13, 2017, ParkerVision hereby

Investigation No. 337-TA-982
COMPLAINANT PARKERVISION, INC.’S MOTION TO TERMINATE THE INVESTIGATION BASED ON

withdraws its complaint, and respectfully requests that the procedural schedule be suspended and the Investigation be terminated immediately. Given that ParkerVision did not receive Order 26 until Friday, March 10, 2017, ParkerVision also requests a waiver of the two day notice rule of Ground Rule 3.2 and an expedited ruling.

The private parties and Staff have agreed that in light of this motion, no evidence will be presented at the hearing on Monday, March 13, 2017. ParkerVision represents that there are no agreements, written or oral, express or implied, between ParkerVision and other parties concerning the subject matter of the Investigation.

ParkerVision also certifies that it contacted all Respondents and the Staff on March 11, 2017 for their positions on this motion, and has made reasonable, good-faith efforts to resolve the matter with Respondents and Staff prior to filing this Motion. Staff and Respondents indicated they waive the two-day notice requirement of Ground Rule 3.2, and will take a position on the remaining issues after reviewing the motion papers.

Date: March 12, 2017

Respectfully submitted,

/s/ Michael T. Renaud

Michael T. Renaud
James M. Wodarski
Michael J. McNamara
Michael C. Newman
Kristina R. Cary
Daniel B. Weinger
Patrick T. Driscoll
**MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY AND POPEO, P.C.**
One Financial Center
Boston, MA 02111
Tel: 617-542-6000
Fax: 617-542-2241

Investigation No. 337-TA-982

COMPLAINANT PARKERVISION, INC.'S MOTION TO TERMINATE THE INVESTIGATION BASED ON
WITHDRAWAL OF THE COMPLAINT, REQUEST FOR IMMEDIATE SUSPENSION OF THE
PROCEDURAL SCHEDULE, WAIVER OF GROUND RULE 3.2, AND EXPEDITED RULING

Aarti Shah
**MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY AND POPEO, P.C.**
701 Pennsylvania Ave. NW
Suite 900
Washington, DC 20004
Tel: 202-434-7300
Fax: 202-434-7400
Email: ParkerVisionITC@mintz.com

*Counsel for Complainant
ParkerVision, Inc.*

Investigation No. 337-TA-982

COMPLAINANT PARKERVISION, INC.'S MOTION TO TERMINATE THE INVESTIGATION BASED ON
WITHDRAWAL OF THE COMPLAINT, REQUEST FOR IMMEDIATE SUSPENSION OF THE
PROCEDURAL SCHEDULE, WAIVER OF GROUNDS RULE 2.0, AND EXPEDITED BILLING