

EXHIBIT B

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. 26: INITIAL DETERMINATION GRANTING COMPLAINANTS
ADVANCED GROUND INFORMATION SYSTEMS, INC. AND
AGIS SOFTWARE DEVELOPMENT LLC'S MOTION TO
TERMINATE THE INVESTIGATION AS TO THE REMAINING
RESPONDENTS BASED ON WITHDRAWAL OF THE
COMPLAINT**

(June 20, 2023)

On June 15, 2023, Complainants AGIS Software Development LLC and Advanced Ground Information Systems, Inc. (collectively, "AGIS") moved (1347-016) for termination of the investigation as to Respondents Google LLC ("Google"), Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively "Samsung"); TCL Technology Group Corporation, TCL Communication Technology Holdings Limited, TCL Electronics Holdings Limited, and TCT Mobile (US), Inc. (collectively "TCL"); Lenovo Group Ltd., Lenovo (United States) Inc., and Motorola Mobility LLC (collectively "Lenovo"); HMD Global, HMD Global Oy, and HMD America, Inc. (collectively "HMD"); Sony Corporation and Sony Mobile Communications, Inc. (collectively "Sony"); ASUSTek Computer Inc. and ASUS Computer International (collectively "ASUS"); BLU Products, Inc. ("BLU"); and Panasonic Holdings Corporation and Panasonic Corporation of North America (collectively "Panasonic") (all Respondents, collectively, "Respondents") based on withdrawal of the Complaint as to those

Respondents.¹ The motion states that Staff “will take a position on the Motion as filed as soon as possible[.]” and that Google, Samsung, TCL, Lenovo, HMD, Sony, ASUS, BLU, and Panasonic “indicated that they will take a position on the Motion as filed as soon as possible.”

On June 16, 2023, Staff filed a response supporting the motion. Staff’s brief indicated that it “inquired whether any Respondent opposes or will be filing a response having reviewed the motion as filed and was informed that no party opposes the Motion to Terminate.” Staff Br. at 3.

Commission Rule 210.21(a) provides, in relevant part:

Any party may move at any time prior to the issuance of an initial determination on violation of section 337 of the Tariff Act of 1930 to terminate an investigation in whole or in part as to any or all respondents, on the basis of withdrawal of the complaint or certain allegations contained therein A motion for termination of an investigation based on withdrawal of the complaint shall contain a statement that there are no agreements, written or oral, express or implied between the parties concerning the subject matter of the investigation, or if there are any agreements concerning the subject matter of the investigation, all such agreements shall be identified, and if written, a copy shall be filed with the Commission along with the motion. . . . The presiding administrative law judge may grant the motion in an initial determination upon such terms and conditions as he deems proper.

19 C.F.R. § 210.21(a). The Commission has further stated that “in the absence of extraordinary circumstances, termination of the investigation will be granted to a complainant during the prehearing stage of an investigation.” *Certain Ultrafiltration Sys. and Components Thereof, Including Ultrafiltration Membranes*, Inv. No. 337-TA-107, Comm’n Action and Order at 2 (Mar. 11, 1982).

Having reviewed the pleadings and arguments therein, I find that no extraordinary circumstances exist that would prevent the requested termination of this Investigation. I also find that AGIS has complied with the requirements of Commission Rule 210.21(a). *See* Mot. at 5 (“AGIS identifies the settlement agreements with Respondents Kyocera, OnePlus, and Xiaomi as

¹ All other Respondents have been terminated based on settlement agreements. Order Nos. 19, 24, 25.

the only agreements, written or oral, express or implied, between the parties concerning the subject matter of this Investigation.”); *see also* Order No. 16 at 2 (AGIS identifying no agreements other than stipulations between the parties).

Accordingly, it is my initial determination that Complainants’ unopposed motion (1347-016) for termination of the Investigation as to the remaining Respondents (Google, Samsung, TCL, Lenovo, HMD, Sony, ASUS, BLU, and Panasonic) be granted. This initial determination 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