

**UNITED STATES INTERNATIONAL TRADE COMMISSION**  
**Washington, D.C.**

**In the Matter of**

**CERTAIN AUDIO PLAYERS AND  
COMPONENTS THEREOF (II)**

**Inv. No. 337-TA-1330**

**NOTICE OF INSTITUTION OF INVESTIGATION**

Institution of investigation pursuant to 19 U.S.C. 1337

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

**ACTION:** Notice

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on August 9, 2022, under section 337 of the Tariff Act of 1930, as amended, on behalf of Google LLC of Mountain View, California. A supplement was filed on August 24, 2022. The complaint, as supplemented, alleges violations of 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 audio players and components thereof by reason of the infringement of certain claims of U.S. Patent No. 11,024,311 (“the ’311 patent”); U.S. Patent No. 9,812,128 (“the ’128 patent”); U.S. Patent No. 9,632,748 (“the ’748 patent”); and U.S. Patent No. 11,050,615 (“the ’615 patent”). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and a cease and a desist order.

**ADDRESSES:** The complaint, except for any confidential information contained therein, 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). Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Jessica Mullan, Office of Docket Services, U.S. International Trade Commission, telephone (202) 205-1802.

**SUPPLEMENTARY INFORMATION:**

**AUTHORITY:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission’s Rules of Practice and Procedure, 19 C.F.R. 210.10 (2022).

**SCOPE OF INVESTIGATION:** Having considered the complaint, the U.S. International Trade Commission, on September 8, 2022, ORDERED THAT –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claims 1-3, 8-12, 14-18, and 20 of the ’311 patent; claims 1-3, 5-8, 10-13, and 15 of the ’128 patent; claims 1-4, 7, 9-12, 14, and 15 of the ’748 patent; and claims 1-3, 5-9, 11, 15-17, and 19 of the ’615 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission’s Rules of Practice and Procedure, 19 C.F.R. 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is “audio player devices – specifically, voice controllable audio player devices and networked audio player devices”;

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

Google LLC  
1600 Amphitheatre Parkway  
Mountain View, CA 94043

(b) The respondent is the following entity alleged to be in violation of section 337, and is the party upon which the complaint is to be served:

Sonos, Inc.  
614 Chapala Street  
Santa Barbara, CA 93101

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

The Office of Unfair Import Investigations will not participate as a party in this investigation.

Responses to the complaint and the notice of investigation must be submitted by the named respondent in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.13. Pursuant to 19 C.F.R. 201.16(e) and 210.13(a), as amended in 85 Fed. Reg. 15798 (March 19, 2020), such responses will be considered by the Commission if received not later than 20 days after the date of service by the complainant of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of the respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.


A handwritten signature in cursive script, appearing to read "Katherine Hiner".

Katherine Hiner  
Acting Secretary to the Commission

Issued: September 9, 2022

**PUBLIC CERTIFICATE OF SERVICE**

I, Katherine M. Hiner, hereby certify that the attached **INSTITUTION OF INVESTIGATION** has been served on the following parties as indicated, on **September 9, 2022**.



Katherine M. Hiner, Acting Secretary  
U.S. International Trade Commission  
500 E Street, SW, Room 112  
Washington, DC 20436

**Complainant:**

Google LLC  
1600 Amphitheatre Parkway  
Mountain View, CA 94043

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Email Notification of Availability for Download

**On Behalf of Complainant:**

S. Alex Lasher, Esq.  
**QUINN EMANUEL URQUHART & SULLIVAN, LLP**  
1300 I Street, NW  
Suite 900  
Washington, DC 20005  
Email: alexlasher@quinnemanuel.com

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Email Notification of Availability for Download

**Respondent:**

Sonos, Inc.  
614 Chapala Street  
Santa Barbara, CA 93101

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Service to Be Completed by Complainant

**Government Agencies:**

Lynda Marshall  
International Section, Antitrust Division  
U.S. Department of Justice

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail

**CERTAIN AUDIO PLAYERS AND COMPONENTS  
THEREOF (II)**

**Inv. No. 337-TA-1330**

Certificate of Service – Page 2

450 5th Street NW, Room 11000  
Washington, DC 20530

Dax Terrill, Chief  
Exclusion Order Enforcement Branch  
U.S. Customs and Border Protection  
Regulations and Rulings  
90 K Street NE – 10th Floor  
Washington, DC 20229

Elizabeth Kraus, Deputy Director  
International Antitrust, Office of International Affairs  
Federal Trade Commission  
600 Pennsylvania Avenue, Room 498  
Washington, DC 20580

Dale D. Berkley, Ph.D., J.D.  
Office of the General Counsel, PHD, NIH Branch  
National Institutes of Health  
31 Center Drive  
Bldg. 31, Rm. 47  
Bethesda, MD 20892

Other: Email Notification  
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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

September 9, 2022

S. Alex Lasher  
Quinn Emanuel Urquhart & Sullivan, LLP  
1300 I Street, NW  
Suite 900  
Washington, DC 20005

**Re: Certain Audio Players and Components Thereof (II); Inv. No. 337-TA- 1330**

Dear S. Alex Lasher:

This letter is to advise you that the U.S. International Trade Commission has instituted an investigation pursuant to section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Commission's notice of investigation is enclosed. Also enclosed is the Section 337 Mediation Program brochure. After reviewing the brochure, please sign and return the enclosed certification of receipt.

Sincerely,

A handwritten signature in cursive script, appearing to read "Katherine M. Hiner".

---

Katherine M. Hiner  
Acting Secretary

Enclosures:

1. Notice of Investigation
2. Publication Regarding the Section 337 Mediation Program
3. Certification of Receipt of Mediation Materials



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

September 9, 2022

Google LLC  
1600 Amphitheatre Parkway  
Mountain View, CA 94043

**Re: Certain Audio Players and Components Thereof (II); Inv. No. 337-TA- 1330**

Dear Sir/Madam:

This letter is to advise you that the U.S. International Trade Commission has instituted an investigation pursuant to section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Commission's notice of investigation is enclosed. Also enclosed is the Section 337 Mediation Program brochure. After reviewing the brochure, please sign and return the enclosed certification of receipt.

Sincerely,

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Katherine M. Hiner  
Acting Secretary

Enclosures:

1. Notice of Investigation
2. Publication Regarding the Section 337 Mediation Program
3. Certification of Receipt of Mediation Materials



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

September 9, 2022

Sonos, Inc.  
614 Chapala Street  
Santa Barbara, CA 93101

**Re: Certain Audio Players and Components Thereof (II); Inv. No. 337-TA-1330**

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). **Sonos, Inc.** is a named respondent in this investigation.

We are hereby serving you with a copy of the Complaint and the Notice of Investigation issued in this matter. Enclosed is a copy of the Code of Federal Regulations. Also enclosed is a the Section 337 Mediation Program brochure. After reviewing this brochure, please sign and return the enclosed certification of receipt.

Please note that the Notice requires a response to the allegations in the Complaint and the response must be received not later than twenty (20) days after the date of service of the Complaint. Failure to file a response may result in inferences being drawn against your interests.

Sincerely,

A handwritten signature in cursive script, appearing to read "Katherine M. Hiner".

---

Katherine M. Hiner  
Acting Secretary

Enclosures:

1. Complaint
2. Notice of Investigation
3. Code of Federal Regulation
4. Publication Regarding the Section 337 Mediation Program
5. Certification of Receipt of Mediation Materials



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

September 9, 2022

Lynda Marshall  
International Section, Antitrust Division  
U.S. Dept of Justice  
450 5th Street NW, Room 11000  
Washington, DC 20530

**Re: Certain Audio Players and Components Thereof (II); Inv. No. 337-TA-1330**

Dear Lynda Marshall:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to Docket Services at (202) 205-1802.

If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,

A handwritten signature in cursive script, appearing to read "Katherine M. Hiner".

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Katherine M. Hiner  
Acting Secretary

Enclosure:

1. Notice of Investigation



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

September 9, 2022

Dax Terrill, Chief  
Exclusion Order Enforcement Branch  
U.S. Customs and Border Protection  
Regulations and Rulings  
90 K Street NE, 10th Floor  
Washington, DC 20229-1177

**Re: Certain Audio Players and Components Thereof (II); Inv. 337-TA-1330**

Dear Dax Terrill:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to Docket Services at (202) 205-1802.

If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,

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Katherine M. Hiner  
Acting Secretary

Enclosure:

1. Notice of Investigation



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

September 9, 2022

Elizabeth Kraus, Deputy Director  
International Antitrust, Office of  
International Affairs Federal Trade Commission  
600 Pennsylvania Avenue, Room 498  
Washington, DC 20580

**Re: Certain Audio Players and Components Thereof (II); Inv. No. 337-TA-1330**

Dear Elizabeth Kraus:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to Docket Services at (202) 205-1802.

If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,

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Katherine M. Hiner  
Acting Secretary

Enclosure:

1. Notice of Investigation



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

September 9, 2022

Dale D. Berkley, Ph.D., J.D.  
Office of the General Counsel, PHD, NIH Branch  
National Institutes of Health  
31 Center Drive  
Building 31, Room 47  
Bethesda, MD 20892

**Re: Certain Audio Players and Components Thereof (II); Inv. No. 337-TA-1330**

Dear Dale Berkley:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to Docket Services at (202) 205-1802.

If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,

A handwritten signature in cursive script, appearing to read "Katherine M. Hiner".

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Katherine M. Hiner  
Acting Secretary

Enclosure:

1. Notice of Investigation