

**UNITED STATES INTERNATIONAL TRADE COMMISSION**  
**Washington, D.C. 20436**

**In the Matter of**

**CERTAIN FLASH MEMORY CHIPS AND  
PRODUCTS CONTAINING SAME**

**Investigation No. 337-TA-664**

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW  
AN INITIAL DETERMINATION EXTENDING THE TARGET DATE FOR  
COMPLETION OF THE INVESTIGATION**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (“ID”) (Order No. 63) of the presiding administrative law judge (“ALJ”) extending the target date for completion of the investigation from January 18, 2011 to February 22, 2011.

**FOR FURTHER INFORMATION CONTACT:** Panyin A. Hughes, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3042. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on December 18, 2008, based on a complaint filed by Spansion, Inc. of Sunnyvale, California and Spansion LLC of Sunnyvale, California (collectively, “Spansion”). 74 *Fed. Reg.* 77059-061 (Dec. 18, 2008). The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain flash memory chips and products containing the same by reason of infringement of various claims of United States Patent Nos. 6,380,029; 6,080,639; 6,376,877; and 5,715,194. The complaint names over thirty respondents. On March 12, 2010, the complaint and notice of investigation were amended to terminate several

respondents from the investigation and to add certain entities as respondents. *75 Fed. Reg.* 11909-910 (Mar. 12, 2010).

On September 8, 2010, the ALJ issued the subject ID (Order No. 63) extending the target date for completion of the investigation from January 18, 2011 to February 22, 2011, and concomitantly moving the deadline for the final ID from September 20, 2010 to October 22, 2010. Given the voluminous record and the complexity of the investigation, coupled with the fact that the parties filed corrected post-hearing briefs and responses well past the due date set in the procedural schedule, the ALJ extended the target date by approximately one month to provide adequate time for issuing his final ID. None of the parties petitioned for review of the ID.

The Commission has determined not to review the ID.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and in section 210.42 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.42).

By order of the Commission.

/s/  
Marilyn R. Abbott  
Secretary to the Commission

Issued: September 28, 2010