

CORRECTED ISSUED DATE

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

In the Matter of

**CERTAIN POWER SUPPLY
CONTROLLERS AND PRODUCTS
CONTAINING SAME**

Investigation No. 337-TA-541

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANT'S MOTION TO
TERMINATE THE INVESTIGATION IN PART**

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") issued by the presiding administrative law judge ("ALJ") granting complainant's motion to terminate the above-captioned investigation as to certain of respondent's products.

FOR FURTHER INFORMATION CONTACT: Michelle Walters, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-5468. 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: This investigation was instituted on June 8, 2005, based on a complaint filed by Power Integrations, Inc. ("Power Integrations") of San Jose, California. The complaint alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain

power supply controllers and products containing the same by reason of infringement of United States Patent Nos. 6,212,079 (“the ‘079 patent”), 6,351,398 (“the ‘398 patent”), 6,366,481, and 6,538,908 (“the ‘908 patent”). The complaint named a single respondent, System General Corporation (“System General”).

On December 2, 2005, Power Integrations moved to terminate the investigation with regard to product numbers SG6105, SG68501, and SG68502 for the ‘079 patent, the ‘398 patent, and the ‘908 patent and product numbers SG38xx, SG5841, SG5848, SG6842J w/HV Start, SG6846, SG6846A, SG6848, SG6848x, SG6849, SG6850, and SG69xx for the ‘398 patent and the ‘908 patent. System General opposed the motion, arguing that it is entitled to summary determination of no infringement with regard to the identified products or that, if the motion is granted, the termination should be construed to exclude the terminated products from any resulting remedial order. The Commission investigative attorney did not oppose the termination of the investigation with respect to the identified products, but requested that any remedial order that issues exclude products that are terminated from the investigation by way of Power Integrations’ motion.

On December 22, 2005, the ALJ issued an ID granting Power Integrations’ motion to terminate the investigation with regard to the specified products. The ALJ found that Rule 210.21(a) permits the filing of a motion to terminate an investigation, in whole *or in part*, at any time prior to the issuance of an initial determination on violation. In addition, he did not find any extraordinary circumstances that would prevent the partial termination of the investigation as to the products. The ALJ found that Power Integrations’ withdrawal of its infringement allegations with regard to the identified products established that these products do not fall within the bounds of a remedial order. No petitions for review of the ID were filed.

Having examined the record of this investigation, the Commission has determined not to review the ALJ’s 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.

Marilyn R. Abbott
Secretary to the Commission

Issued: January 17, 2006