

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

**In the Matter of**

**CERTAIN UNIFIED  
COMMUNICATIONS SYSTEMS,  
PRODUCTS USED WITH SUCH  
SYSTEMS, AND COMPONENTS  
THEREOF**

**Inv. No. 337-TA-598**

**NOTICE OF INVESTIGATION**

AGENCY: U.S. International Trade Commission

ACTION: Institution of investigation pursuant to 19 U.S.C. § 1337

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on February 16, 2007, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Microsoft Corporation of Redmond, Washington. A supplemental letter was filed on March 9, 2007. The complaint, as supplemented, 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 unified communications systems, products used with such systems, and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 6,421,439, 6,430,289, 6,263,064, and 6,728,357. The complaint, as supplemented, further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

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

ADDRESSES: The complaint and supplemental letter, except for any confidential information contained therein, are 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., Room 112, Washington, D.C. 20436, telephone 202-205-2000. 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 <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>.

FOR FURTHER INFORMATION CONTACT: David H. Hollander, Jr., Esq.,  
Office of Unfair Import Investigations, U.S. International Trade Commission,  
telephone (202) 205-2746.

AUTHORITY: The authority for institution of this investigation is contained in  
section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the  
Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.10 (2006).

SCOPE OF INVESTIGATION: Having considered the complaint as  
supplemented, the U.S. International Trade Commission, on March 19, 2007,  
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 unified communication systems, products used with such systems, and  
components thereof by reason of infringement of one or more of claims 1 and 3 of  
U.S. Patent No. 6,421,439; claims 1-20 of U.S. Patent No. 6,430,289; claims 1, 3-  
5, 7-9, and 11-13 of U.S. Patent No. 6,263,064; and claims 1, 2, 4, 6, 8, and 17 of  
U.S. Patent No. 6,728,357; and whether an industry in the United States exists as  
required by subsection (a)(2) of section 337;

(2) 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 –

Microsoft Corporation  
1 Microsoft Way  
Redmond, Washington 98052

(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:

Alcatel-Lucent  
54 rue La Boetie  
Paris 75008, France

(c) The Commission investigative attorney, party to this  
investigation, is David H. Hollander, Jr., Esq., Office of Unfair Import

Investigations, U.S. International Trade Commission, 500 E Street, S.W., Room 401-R, Washington, D.C. 20436; and

(3) For the investigation so instituted, the Honorable Paul J. Luckern is designated as the presiding administrative law judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents 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(d) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission 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 a limited exclusion order or cease and desist order or both directed against the respondent.

By order of the Commission.

/s/

Marilyn R. Abbott  
Secretary to the Commission

Issued: March 20, 2007