

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

In the Matter of

**CERTAIN SEMICONDUCTOR
INTEGRATED CIRCUITS AND
PRODUCTS CONTAINING SAME**

Investigation No. 337-TA-665

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL DETERMINATION
GRANTING-IN-PART RESPONDENT'S MOTION FOR SUMMARY
DETERMINATION OF NON-INFRINGEMENT**

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 the administrative law judge's ("ALJ") initial determination ("ID") (Order No. 34) in the above-captioned investigation, granting-in part respondent's motion for summary determination that it does not infringe the asserted claims of one patent at issue..

FOR FURTHER INFORMATION CONTACT: Jean H. Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3014. Copies of the ALJ's IDs and all other 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: On December 24, 2008, the Commission instituted an investigation under section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, based on a complaint filed by Qimonda AG of Munich, Germany ("Qimonda"), alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain semiconductor integrated circuits and products containing same by reason of infringement of various claims of U.S. Patent Nos. 5,213,670; 5,646,434; 5,851,399; 6,495,918; 6,593,240; 6,714,055, and 6,103,456 ("the '456 patent"). 73 *Fed. Reg.* 79165 (Dec. 24, 2008). The complainant named several respondents, including LSI Corporation (LSI).

On April 8, 2009, LSI filed a motion for summary determination that it did not infringe the asserted claims of the '456 patent. On May 6, 2009, the ALJ issued Order No. 34 granting complainant's motion for summary determination in part. The ALJ ruled that LSI had demonstrated that it was entitled to summary determination that two of its processes do not infringe the asserted claims of the '456 patent, but he denied the motion in all other respects.

No party petitioned for review of the subject 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: May 29, 2009