

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN NON-VOLATILE MEMORY
DEVICES AND PRODUCTS
CONTAINING SAME**

Investigation No. 337-TA-1046

**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 the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 32) extending the target date for completion of the above-captioned investigation by approximately two weeks, from August 10, 2018 to August 27, 2018.

FOR FURTHER INFORMATION CONTACT: Panyin A. Hughes, 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 <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://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 Inv. No. 337-TA-1046, *Certain Non-Volatile Memory Devices and Products Containing Same*, on April 12, 2017, based on a complaint filed by Macronix International Co., Ltd. of Hsin-chu, Taiwan and Macronix America, Inc. of Milpitas, California. 82 *Fed. Reg.* 17687-88 (Apr. 12, 2017). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended (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 non-volatile memory devices and products containing the same that infringe one or more claims of U.S. Patent No. 6,552,360; U.S. Patent No. 6,788,602; and U.S. Patent No. 8,035,417. The notice of investigation named the following respondents: Toshiba Corporation of Tokyo, Japan; Toshiba America, Inc. of New York, New York; Toshiba America Electronic Components, Inc. of Irvine, California; Toshiba America Information Systems, Inc. of

Irvine, California; and Toshiba Information Equipment (Philippines), Inc. of Binan, Philippines. Toshiba Memory Corporation of Tokyo, Japan was subsequently added as a respondent. *See* Order No. 11 (June 1, 2017), Comm'n Notice of Non-Review (June 16, 2017). The Office of Unfair Import Investigations is a party to the investigation.

On January 25, 2018, the ALJ issued the subject ID, extending the target date for completion of the investigation pursuant to section 210.51(a) of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.51(a)). The ID extends the target date by approximately two weeks, from August 10, 2018 to August 27, 2018; and concomitantly, extends the due date for the final ID from April 10, 2018 to April 27, 2018.

No petitions for review of the subject ID were filed. 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 Part 210 of the Commission's Rules of Practice and Procedure (19 C.F.R. Part 210).

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', with a stylized flourish at the end.

Lisa R. Barton
Secretary to the Commission

Issued: February 15, 2018