

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

**In the Matter of** )

**CERTAIN ENCAPSULATED** )  
**INTEGRATED CIRCUIT DEVICES AND** )  
**PRODUCTS CONTAINING SAME** )

**Inv. No. 337-TA-501**

**NOTICE OF COMMISSION DETERMINATION TO ESTABLISH A SCHEDULE FOR  
FILING PETITIONS FOR REVIEW AND RESPONSES, AND FOR ISSUING ITS  
DECISION ON WHETHER TO REVIEW THE REMAND INITIAL DETERMINATION**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to establish a schedule for filing any petitions for review and responses to any such petitions and for determining whether to review the remand Initial Determination (“ID”) to be issued by the presiding administrative law judge (“ALJ”) in the above-captioned investigation.

**FOR FURTHER INFORMATION CONTACT:** Michael Liberman, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3112. 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 (<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 under section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337 (“section 337”), on December 19, 2003, based on a complaint filed by Amkor Technology, Inc. (“Amkor”) alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain encapsulated integrated circuit devices and products containing same in connection with several claims of three U.S. patents owned by Amkor. The complainant named Carsem (M) Sdn Bhd; Carsem Semiconductor Sdn Bhd; and Carsem, Inc. (collectively, “Carsem”) as respondents.

On November 9, 2005, the ALJ issued a remand initial determination and a recommended determination on remedy and bond. He found a violation of section 337 with regard to four claims of one asserted patent but found no violation in connection with the claims of the two other asserted patents. Completion of this investigation has been delayed because Carsem has had difficulty obtaining from third-party ASAT, Inc. (“ASAT”) certain documents that Carsem asserts are critical for certain affirmative defenses. The Commission’s efforts to enforce a February 11, 2004, subpoena *duces tecum* and *ad testificandum* directed to ASAT resulted in a July 1, 2008, order and opinion of the U.S. District Court for the District of Columbia granting the Commission’s second enforcement petition.

On July 1, 2009, the Commission issued a Notice and Order remanding this investigation and extending the target date for its completion. On July 23, 2009, the ALJ issued an ID (Order No. 104) extending the target date for completion of the investigation to February 2, 2010. Based on the new target date, the ALJ’s ID on remand will be due no later than the close of business on November 2, 2009.

The Commission has determined to establish the following schedule pertaining to the remand ID: (1) any petitions for review must be filed no later than ten (10) days from service of the remand ID; (2) the responses to the petitions must be filed no later than five (5) business days from service of any petition; (3) the remand ID will become the Commission’s final determination on remand 45 days after service of the remand ID, unless the Commission orders review.

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(h) of the Commission’s Rules of Practice and Procedure (19 C.F.R. § 210.42(h)).

By order of the Commission.

Marilyn R. Abbott  
Secretary to the Commission

Issued: October 29, 2009