

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

In the Matter of

**CERTAIN COLD CATHODE FLUORESCENT
LAMP (“CCFL”) INVERTER CIRCUITS AND
PRODUCTS CONTAINING THE SAME**

Investigation No. 337-TA-666

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING IN-PART A MOTION FOR SUMMARY
DETERMINATION; SUMMARY DETERMINATION OF IMPORTATION**

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. 31) granting in-part complainants’ motion for summary determination in the above-captioned investigation.

FOR FURTHER INFORMATION CONTACT: Daniel E. Valencia, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-1999. 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: The Commission instituted this investigation on January 14, 2009, based on a complaint filed by O2 Micro International, Ltd. of the Cayman Islands and O2 Micro, Inc. of Santa Clara, California (collectively, “O2 Micro”). 74 *Fed. Reg.* 2099. The complaint alleges violations of section 337 of the Tariff Act of 1930 (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 cold cathode fluorescent lamp inverter circuits and products containing the same by reason of infringement of various U.S. patents. The complaint named ten respondents, including ASUSTeK Computer Inc. (“ASUSTeK”) of Taiwan.

On August 31, 2009, complainant O2 Micro moved for summary determination that respondent ASUSTeK satisfies the importation requirement of section 19 U.S.C. § 1337 and commits territorial acts on which a finding of infringement under 35 U.S.C. § 271(a) can be predicated. On September 10, 2009, ASUSTeK filed a response indicating that it opposes a finding that its activities constitute territorial acts on which a finding of infringement under 35 U.S.C. § 271(a) can be predicated, but does not oppose a finding that its activities meet the importation requirement of 19 U.S.C. § 1337. On September 10, 2009, the Commission investigative attorney filed a response in support of summary determination only as to the importation requirement.

On September 24, 2009, the ALJ issued the subject ID granting in-part O2 Micro's motion for summary determination. The ALJ found that O2 Micro has established that ASUSTeK's activities meet the importation requirement of 19 U.S.C. § 1337. He denied the motion in all other respects. No petitions for review of the ID were filed.

The Commission has determined not to review 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: October 21, 2009