

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN CERAMIC CAPACITORS AND
PRODUCTS CONTAINING SAME**

Investigation No. 337-TA-692

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANTS' UNOPPOSED MOTION TO
TERMINATE THE INVESTIGATION IN PART AS TO
UNITED STATES PATENT NO. 6,377,439**

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 an initial determination ("ID") (Order No. 35) of the presiding administrative law judge ("ALJ") granting complainants' unopposed motion to terminate the investigation in part as to United States Patent No. 6,377,439.

FOR FURTHER INFORMATION CONTACT: Panyin A. Hughes, Esq., 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 <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 November 4, 2009, based on a complaint filed by Murata Manufacturing Co., Ltd. of Kyoto, Japan and Murata Electronics North America, Inc. of Smyrna, Georgia (collectively, "Murata"). 74 *Fed. Reg.* 57193-94 (Nov. 4, 2009). 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 ceramic capacitors

and products containing the same by reason of infringement of various claims of United States Patent Nos. 6,377,439 (“the ’439 patent”); 6,266,229; 6,014,309; and 6,243,254. The complaint names Samsung Electro-Mechanics Co., Ltd. of Suwon City, Korea and Samsung Electro-Mechanics Co., Ltd. of Irving, California as respondents.

On June 15, 2010, Murata filed an unopposed motion for partial termination of the investigation as to all asserted claims of the ’439 patent. On June 16, 2010, respondents filed a response, confirming that they do not oppose the motion. On June 17, 2010, the ALJ issued the subject ID (Order No. 35) granting Murata’s motion. The ALJ found that Murata’s motion was based on withdrawal of certain allegations from the complaint and that it satisfied Commission Rule 210.21(a)(1) (19 C.F.R. § 210.21(a)(1)). None of the parties petitioned for review of the ID.

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 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: July 7, 2010