

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

**In the Matter of**

**CERTAIN INKJET INK CARTRIDGES  
WITH PRINTHEADS AND  
COMPONENTS THEREOF**

**Investigation No. 337-TA-723**

**NOTICE OF DECISION NOT TO REVIEW AN INITIAL DETERMINATION  
GRANTING A MOTION FOR SUMMARY DETERMINATION THAT  
COMPLAINANTS' ASSERTED PATENTS ARE NOT INVALID**

**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 complainants' motion for summary determination that the asserted patents are not invalid.

**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 June 25, 2010, based on a complaint filed by Hewlett-Packard Company of Palo Alto, California and Hewlett-Packard Development Company, L.P. of Houston, Texas (collectively, "HP"). *75 Fed. Reg.* 36442 (June 25, 2010). The complaint alleged 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 inkjet cartridges with printheads and components thereof by reason of infringement of various United States Patents. The complaint named seven respondents, including Asia Pacific Microsystems, Inc. ("APM").

On December 22, 2010, HP filed a motion for summary determination that the asserted patents are not invalid. APM opposed this motion, but the Commission investigative attorney supported HP's motion. On January 11, 2011, the ALJ issued the subject ID granting HP's motion for summary determination. The ALJ found that summary determination is appropriate because no party has contested the validity of the asserted patents. No petitions for review of the 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 section 210.42 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.42).

By order of the Commission.

/s/

William R. Bishop  
Hearings and Meetings Coordinator

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