

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

In the Matter of

**CERTAIN ELECTRONICS DEVICES
WITH IMAGE PROCESSING SYSTEMS,
COMPONENTS THEREOF, AND
ASSOCIATED SOFTWARE**

Investigation No. 337-TA-724

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANT'S RENEWED UNOPPOSED
MOTION FOR PARTIAL TERMINATION OF THE INVESTIGATION AS TO
CERTAIN PATENT CLAIMS**

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. 45) issued by the presiding administrative law judge ("ALJ") granting complainant's motion for partial termination of the investigation as to certain patent claims.

FOR FURTHER INFORMATION CONTACT: Jia Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-4737. 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 July 25, 2010, based on a complaint filed by S3 Graphics Co., Ltd. of Caymen Islands, British West Indies and S3 Graphics, Inc. of Fremont, California (collectively, "S3G"). 75 *Fed. Reg.* 38118 (Jul. 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 electronic devices with image processing systems, components thereof, and associated software by reason of infringement of various claims of United States Patent Nos. 7,043,087 ("the '087 patent"); 6,775,417 ("the '417 patent");

6,683,978; and 6,658,146 (“the ‘146 patent”). The complaint named Apple Inc. of Cupertino, California (“Apple”) as respondent.

On March 11, 2011, S3G filed an unopposed motion to partially terminate the investigation by withdrawing its allegations that Apple infringes claims 2, 8, 18, and 19 of the ‘146 patent; claims 1, 8, and 13 of the ‘417 patent; and claim 7 of the ‘087 patent. In Order No. 41, the ALJ denied S3G’s motion without prejudice, finding that S3G had failed to identify certain agreements between the parties regarding the subject matter of this investigation as required by Commission Rule 210.21(a).

On April 26, 2011, S3G filed a renewed unopposed motion requesting partial termination of the investigation with respect to the same claims identified in its previous motion for partial termination. In the renewed unopposed motion, S3G identified and attached four stipulated agreements regarding the subject matter of this investigation. On May 31, 2011, the ALJ issued the subject ID, granting S3G’s renewed unopposed motion for partial termination of the investigation, finding that S3G has complied with Commission Rule 210.21(a).

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 Part 210.42-45 of the Commission’s Rules of Practice and Procedure (19 C.F.R. Part 210.42-45).

By order of the Commission.

/s/
James R. Holbein
Secretary to the Commission

Issued: June 21, 2011