

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

In the Matter of

**CERTAIN HANDHELD ELECTRONIC
COMPUTING DEVICES, RELATED
SOFTWARE, AND COMPONENTS
THEREOF**

Investigation No. 337-TA-769

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL
DETERMINATION EXTENDING THE TARGET DATE FOR
COMPLETION OF THE INVESTIGATION**

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. 38) of the presiding administrative law judge (“ALJ”) extending the target date for completion of the above-captioned investigation by approximately one month to October 1, 2012.

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2310. 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 April 25, 2011, based on a complaint filed by Microsoft of Redmond, Washington. *76 Fed. Reg.* 22918. The complaint, as amended, alleges a violation of section 337 of the Tariff Act of 1930, as amended, 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 handheld electronic computing devices, related software, and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 5,778,372; 5,889,522; 6,339,780 (“the ’780 patent”); 6,891,551; and 6,957,233.

The '780 patent has been terminated from the investigation based on complainant's partial withdrawal of the complaint. *See* ALJ's Order No. 31 and Commission Notice Not to Review dated January 26 and February 14, 2012, respectively. The complaint further alleges the existence of a domestic industry. The Commission's notice of investigation named several respondents.

On April 10, 2012, the ALJ issued the subject ID extending the target date of the investigation to October 1, 2012, and the deadline for his final initial determination to June 1, 2012. He stated that the extension was necessary to accommodate a conflict that has arisen in his schedule. No party petitioned for review of the ID pursuant to 19 C.F.R. § 210.43(a), and the Commission found no basis for ordering a review on its own initiative pursuant to 19 C.F.R. § 210.44.

The Commission has determined not to review the ID. While it has determined not to review the subject ID, the Commission expects that setting a new target date in this investigation will not result in the extension of existing target dates for assigned investigations falling within the same approximate time period.

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.

James R. Holbein
Secretary to the Commission

Issued: May 3, 2012