

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

**In the Matter of**

**CERTAIN UNIVERSAL SERIAL BUS  
("USB") PORTABLE STORAGE  
DEVICES, INCLUDING USB FLASH  
DRIVES AND COMPONENTS  
THEREOF**

**Investigation No. 337-TA-788**

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN  
INITIAL DETERMINATION TERMINATING THE INVESTIGATION IN PART AS TO  
CLAIMS 1-3 OF U.S. PATENT NO. 7,549,161 WITHOUT PREJUDICE**

**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. 16) of the presiding administrative law judge ("ALJ") terminating the investigation in part as to claims 1-3 of U.S. Patent No. 7,549,161 without prejudice.

**FOR FURTHER INFORMATION CONTACT:** Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3106. 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 under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on July 19, 2011, based on a complaint filed on behalf of Trek 2000 International Ltd. of Loyang Industrial Estate, Singapore; Trek Technology (Singapore) Pte. Ltd. of Genting Centre, Singapore; and S-Corn System (S) Pte. Ltd. of Genting Centre, Singapore (collectively, "Trek"), alleging a violation of

section 337 in the importation, sale for importation, and sale within the United States after importation of certain universal serial bus (“USB”) portable storage devices, including USB flash drives and components thereof that infringe certain claims of U.S. Patent Nos. 6,880,054; 7,039,759; D463,426; and 7,549,161. 76 *Fed. Reg.* 42730 (July 19, 2011). The notice of investigation named as respondents Imation Corporation of Oakdale, Minnesota; IronKey, Inc. of Sunnyvale, California; Kingston Technology Company, Inc. of Fountain Valley, California; Patriot Memory, LLC of Fremont, California (“Patriot”); RITEK Corporation of Hsinchu, Taiwan and Advanced Media, Inc./RITEK USA of Diamond Bar, California (collectively, “RITEK”); and Verbatim Corporation, Inc. of Charlotte, North Carolina and Verbatim Americas, LLC of Charlotte, North Carolina (collectively, “Verbatim”). Subsequently, respondents RITEK, Verbatim, and Patriot were terminated from the investigation.

On February 29, 2012, complainants Trek moved to terminate the investigation in part as to claims 1-3 of U.S. Patent No. 7,549,161 without prejudice. The Commission investigative attorney, as well as the respondents, did not oppose the motion.

On March 21, 2012, the ALJ issued an ID (Order No. 16) granting the motion. No party petitioned for review. 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(h) of the Commission’s Rules of Practice and Procedure, 19 C.F.R. § 210.42(h).

By order of the Commission.

A handwritten signature in black ink, appearing to read "J R Holbein", written in a cursive style.

James R. Holbein  
Secretary to the Commission

Issued: April 9, 2012