NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL DETERMINATION TERMINATING THE INVESTIGATION AS TO CERTAIN RESPONDENTS BASED ON SETTLEMENT AGREEMENTS


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. 18) of the presiding administrative law judge (“ALJ”) terminating the above-captioned investigation as to Pantech Co., Ltd. of Seoul, Korea and Pantech Wireless, Inc. of Atlanta, Georgia (collectively, “Pantech”) based on settlement agreements.

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.

same by reason of infringement of certain claims of U.S. Patent Nos. 5,654,932; 5,963,481; 5,982,696; 5,500,819; and 5,687,132. The complaint further alleges the existence of a domestic industry. The Commission’s notice of investigation named twenty-one respondents including Pantech.

On October 14, 2011, complainants moved to terminate the investigation as to Pantech based on settlement agreements. The Commission investigative attorney filed a response in support of the motion and respondents Hynix Semiconductor, Inc. of Gyeonggi-do, Korea and Hynix Semiconductor America, Inc. of Atlanta, Georgia opposed the motion. No other party opposed the motion.

The ALJ issued the subject ID on December 7, 2011, granting the motion for termination of the investigation as to Pantech. He found that the motion satisfies Commission rules 210.21(a)(2), (b)(1). He further found, pursuant to Commission rule 210.50(b)(2), that termination of this investigation as to Pantech by settlement agreements is in the public interest. No party petitioned for review of the ID. The Commission has determined not to review the ID.


By order of the Commission.

    /s/
    James R. Holbein
    Secretary to the Commission

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