NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION TO AMEND THE COMPLAINT AND
NOTICE OF INVESTIGATION


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. 7) to amend the complaint
and notice of investigation to add as respondents Oracle America, Inc., of Redwood Shores,
California, and Fujifilm Recording Media USA, Inc., of Bedford, Massachusetts.

FOR FURTHER INFORMATION: Clark S. Cheney, Office of the General Counsel, U.S.
International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-
205-2661. 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 (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
September 29, 2014, based on a complaint filed by Advanced Research Corporation of White
violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), based upon
the importation into the United States, the sale for importation, and the sale within the United
States after importation of certain formatted magnetic data storage tapes and cartridges
containing the same, by reason of infringement of five U.S. patents. The original notice of investigation named as respondents International Business Machines Corp. of Armonk, NY; Fujifilm Holdings Corporation of Tokyo, Japan; Fujifilm Corporation of Tokyo, Japan; and Oracle Corporation of Redwood Shores, California. *Id.* at 58383. The Office of Unfair Import Investigations is participating in the investigation. *Id.*

On November 18, 2014, ARC filed an unopposed motion to amend the complaint and notice of investigation to add as respondents Oracle America, Inc., of Redwood Shores, California, and Fujifilm Recording Media USA, Inc., of Bedford, Massachusetts.

On December 1, 2014, the ALJ issued the subject ID (Order No. 7) granting the motion to amend the complaint and notice of investigation. The ALJ found good cause for the amendment because ARC very recently learned of the additional respondents through discovery, the amendment would not delay the investigation, and the amendment would not prejudice the current parties to the investigation. No petitions for review of the ID were filed.

The Commission has determined not to review the ID.


By order of the Commission.

Jennifer Rohrbach
Supervisory Attorney

Issued: December 24, 2014