

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

In the Matter of

**CERTAIN PERSONAL COMPUTERS,
MONITORS, AND COMPONENTS
THEREOF**

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) **Inv. No. 337-TA-519**
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**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”) issued by the presiding administrative law judge (“ALJ”) extending the target date for completion of the above-captioned investigation until February 27, 2006.

FOR FURTHER INFORMATION CONTACT: Steven Crabb, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-5432. 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: This patent-based section 337 investigation was instituted by the Commission on August 6, 2004, based on a complaint filed by Gateway, Inc. of Poway, California (“Gateway”). 69 *Fed. Reg.* 47956 (August 6, 2004). The complainant alleged violations of section 337 in the importation and sale of certain personal computers, monitors, and components thereof, by reason of infringement of three U.S. patents. The complainant named Hewlett-Packard Company of Palo Alto, California as a respondent. Claims 9-11, 15-18 and 19

of U.S. Patent No. 5,192,999 remain at issue in this investigation.

On July 28, 2005, the Commission determined not to review an ID issued by the presiding ALJ extending the target date by three months from November 6, 2005, to February 6, 2006. On October 6, 2005, the ALJ issued his final ID finding no violation of section 337. On October 17, 2005, all parties filed petitions for review of the final ID. On October 24, 2005, all parties filed their respective responses. On December 1, 2005, the Commission issued an order to review-in-part and remand portions of the final ID, setting a twenty-one day period for the ALJ's remand determination. On December 5, 2005, the ALJ issued an ID (Order No. 51) extending the due date for the remand determination to January 12, 2006, and extending the target date of the investigation by twenty-one days, or until February 27, 2006. Given the extenuating circumstances identified by the ALJ, the Commission has determined not to review this 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.

Marilyn R. Abbott
Secretary to the Commission

Issued: December 14, 2005