

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

In the Matter of

**CERTAIN NOTEBOOK COMPUTER
PRODUCTS AND COMPONENTS
THEREOF**

Investigation No. 337-TA-705

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW ORDER NOS. 22
AND 25 GRANTING SUMMARY DETERMINATION IN PART REGARDING
IMPORTATION AND CERTAIN AFFIRMATIVE DEFENSES**

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 initial determinations (“ID”) (Order Nos. 22 and 25) issued by the presiding administrative law judge (“ALJ”) in the above-referenced investigation.

FOR FURTHER INFORMATION CONTACT: Daniel E. Valencia, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-1999. 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 February 24, 2010, based on a complaint filed by Toshiba Corporation of Japan (“Toshiba”). 75 *Fed. Reg.* 8400. The complaint alleges violations of section 337 of the Tariff Act of 1930 (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 notebook computer products and components thereof by reason of infringement of Toshiba’s patents. The complaint named Wistron Corporation of Taiwan, Wistron InfoComm (Texas) Corporation of Grapevine, Texas, and Wistron InfoComm Technology (America) Corporation of Flower Mound, Texas (collectively, “Wistron”).

On August 11, 2010, Toshiba filed motions for summary determination regarding the importation requirement of section 337 and certain affirmative defenses raised by respondent Wistron. Wistron opposed both of these motions. The Commission investigative attorney supported summary determination regarding importation, and supported in part summary determination regarding Wistron's affirmative defenses.

On September 28, 2010, the ALJ issued Order No. 22 granting summary determination in part in favor of Toshiba regarding certain affirmative defenses raised by Wistron. On September 29, 2010, the ALJ issued Order No. 25 granting in part summary determination regarding importation in favor of Toshiba.

No petitions for review of the subject IDs, Order Nos. 22 and 25, were filed. The Commission has determined not to review the ALJ's IDs.

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 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.42).

By order of the Commission.

/s/
Marilyn R. Abbott
Secretary to the Commission

Issued: October 19, 2010