

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

In the Matter of

**CERTAIN ELECTRONIC DEVICES
WITH GRAPHICS DATA PROCESSING
SYSTEMS, COMPONENTS THEREOF,
AND ASSOCIATED SOFTWARE**

Inv. No. 337-TA-813

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION TERMINATING THE INVESTIGATION
WITH RESPECT TO TWO PATENTS**

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 (Order No. 27) terminating the above-captioned investigation with respect to U.S. Patent No. 5,977,960 and U.S. Patent No. 6,353,440.

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 November 14, 2011, based on a complaint filed by S3 Graphics Co., Ltd., of Grand Cayman Islands, British West Indies, and S3 Graphics, Inc., of Fremont, California (collectively, "S3G"). 76 Fed. Reg. 70490 (Nov. 14, 2011). The complaint alleged 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 electronic devices with graphics data processing systems, components thereof, and associated software, by reason of infringement of various claims of four United States patents, including U.S. Patent No. 5,977,960 ("the '960 patent") and U.S. Patent No. 6,353,440 ("the '440 patent"). The notice of investigation named Apple Inc. of Cupertino, California, as the only respondent.

On August 3, 2012, S3G filed an unopposed motion to withdraw its infringement allegations with respect to the '960 patent and the '440 patent.

On October 18, 2012, the presiding administrative law judge granted the motion and issued the subject initial determination (Order No. 27). No petitions for review of the initial determination were filed.

The Commission has determined not to review the initial determination.

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 Part 210 of the Commission's Rules of Practice and Procedure (19 C.F.R. Part 210).

By order of the Commission.

/s/
Lisa R. Barton
Acting Secretary to the Commission

Issued: November 8, 2012