

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

In the Matter of

**CERTAIN POWER AMPLIFIER CHIPS,
BROADBAND TUNER CHIPS,
TRANSCEIVER CHIPS, AND
PRODUCTS CONTAINING SAME**

Inv. No. 337-TA-490

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING A MOTION TO TERMINATE THE INVESTIGATION
AS TO ONE PATENT**

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 the presiding administrative law judge's ("ALJ's") initial determination ("ID") granting a motion to terminate the investigation as to U.S. Patent No. 5,682,379 based on withdrawal of the complaint as to that patent.

FOR FURTHER INFORMATION CONTACT: Timothy P. Monaghan, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3152. Copies of the ID and all other nonconfidential 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. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-

1810. 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>.

SUPPLEMENTARY INFORMATION:

The Commission instituted this investigation on April 4, 2003, based on a complaint filed by Broadcom Corp. ("Broadcom") of Irvine, California. *68 Fed. Reg. 16551*. The respondent named in the investigation is Microtune, Inc. ("Microtune") of Plano, Texas. The complaint alleged that respondent Microtune violated section 337 of the Tariff Act of 1930 by importing certain power amplifier chips, broadband tuner chips, transceiver chips, and products containing same which infringed certain claims of U.S. Patents Nos. 6,445,039, and 5,682,379 ('379 patent).

On August 26, 2003, complainant Broadcom moved pursuant to Commission rule 210.21 to terminate the investigation as to the '379 patent based on withdrawal of the complaint as to that patent. Broadcom stated that it learned during discovery that Microtune has ceased manufacturing the products that Broadcom had accused of infringing the '379 patent. Respondent Microtune and the Commission investigative attorney did not oppose the motion.

On October 8, 2003, the ALJ issued an ID (Order No. 6) granting the motion to terminate the investigation as to the '379 patent. No petitions for review of the ID were filed.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, and section 210.42 of Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.42.

By order of the Commission.

Marilyn R. Abbott
Secretary to the Commission

Issued: October 28, 2003

