

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN STATIC RANDOM ACCESS
MEMORIES AND PRODUCTS
CONTAINING SAME**

Investigation No. 337-TA-792

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING A MOTION FOR SUMMARY DETERMINATION
THAT RESPONDENTS HEWLETT-PACKARD COMPANY/TIPPING POINT,
MOTOROLA SOLUTIONS, INC., TELLABS, INC., AND TELEFONAKTIEBOLAGET
LM ERICSSON HAVE NOT VIOLATED SECTION 337 OF THE TARIFF ACT OF 1930
(19 U.S.C. § 1337)**

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") initial determination ("ID") (Order No. 35) granting a motion for summary determination that Respondents Hewlett-Packard Company/Tipping Point of Palo Alto, California ("HP/TP"); Motorola Solutions, Inc. of Schaumburg, Illinois ("MSI"); Tellabs, Inc. of Naperville, Illinois ("Tellabs"); and Telefonaktiebolaget LM Ericsson of Stockholm, Sweden ("Ericsson") have not violated section 337.

FOR FURTHER INFORMATION CONTACT: Panyin A. Hughes, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3042. 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 July 28, 2011, based on a complaint filed by Cypress Semiconductor Corporation of San Jose, California (“Cypress”). 76 *Fed. Reg.* 45295 (July 28, 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 static random access memories and products containing the same by reason of infringement of various claims of United States Patent Nos. 6,534,805; 6,651,134; 7,142,477; and 6,262,937. The notice of investigation named several respondents, including HP/TP, MSI, Tellabs, and Ericsson.

On January 19, 2012, HP/TP, MSI, Tellabs, and Ericsson filed a motion for summary determination that they have not violated section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) because they do not import into the United States, sell for importation into the United States, or sell after importation in the United States any of the accused products. In a submission to the Commission on January 30, 2012, Cypress indicated that it does not oppose the summary determination motion by HP/TP, MSI, Tellabs, and Ericsson.

On February 14, 2012, the ALJ issued the subject ID, granting the summary determination motion. The ALJ found that pursuant to Commission Rule 210.18 (19 C.F.R. § 210.18), no dispute exists that HP/TP, MSI, Tellabs, and Ericsson do not import into the United States, sell for importation into the United States, or sell after importation in the United States any of the accused products. None of the parties petitioned for review of the ID.

The Commission has determined not to review the ID. Accordingly, the Commission finds that HP/TP, MSI, Tellabs, and Ericsson are not in violation of section 337.

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.



James R. Holbein
Secretary to the Commission

Issued: March 7, 2012