

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

In the Matter of

**CERTAIN ELECTRONIC DEVICES HAVING A
RETRACTABLE USB CONNECTOR**

Investigation No. 337-TA-843

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW TWO
INITIAL DETERMINATIONS TERMINATING THE INVESTIGATION
AS TO THREE RESPONDENTS ON THE BASIS OF SETTLEMENT
AGREEMENT OR CONSENT ORDER; ISSUANCE OF CONSENT
ORDER AGAINST TWO RESPONDENTS**

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 determinations ("IDs") terminating the investigation as to one respondent on the basis of a settlement agreement (Order No. 23), and two respondents on the basis of a consent order (Order No. 24). The Commission has issued the subject consent order as to the two respondents terminated by consent order.

FOR FURTHER INFORMATION CONTACT: Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2532. 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 May 24, 2012, based on a complaint filed by Anu IP LLC of Longview, Texas ("Anu"), alleging a violation of section 337 by reason of the infringement of claims of U.S. Patent Nos. 6,979,210 and 7,090,515. 77 *Fed. Reg.* 31039-40 (Aug. 12, 2011). The notice of investigation named more than forty respondents.

On August 13, 2012, the ALJ issued an ID granting the joint unopposed motion of Anu and respondent Emtec Electronics, Inc. of Lew Center, Ohio (Dexxon Digital Storage, Inc.) (“Emtec”), to terminate the investigation as to Emtec on the basis of a settlement agreement. Order No. 23.

That same day, the ALJ also issued an ID terminating the investigation as to two respondents on the basis of an unopposed consent order motion submitted by Hitachi Maxell, Ltd., of Osaka, Japan; and Maxell Corporation of America, of Woodland Park, New Jersey (collectively, “Maxell”). Order No. 24.

No petitions for review were filed. The Commission has determined not to review the IDs and to issue a consent order as to Maxell. The Commission notes that the consent order proposed by Maxell recited patent claims unasserted against Maxell, and the Commission’s consent order omits reference to such claims.

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 sections 210.21 and 210.42 of the Commission’s Rules of Practice and Procedure (19 C.F.R. §§ 210.21 and 210.42).

By order of the Commission.

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

Issued: September 13, 2012