

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

**In the Matter of**

**CERTAIN PERSONAL COMPUTER/  
CONSUMER ELECTRONIC  
CONVERGENT DEVICES,  
COMPONENTS THEREOF, AND  
PRODUCTS CONTAINING SAME**

**Investigation No. 337-TA-558**

**NOTICE OF DECISION NOT TO REVIEW AN INITIAL DETERMINATION  
GRANTING JOINT MOTION OF COMPLAINANT INTERVIDEO DIGITAL  
TECHNOLOGY CORPORATION AND RESPONDENT WINBOOK  
COMPUTER CORPORATION TO TERMINATE THE INVESTIGATION  
WITH RESPECT TO WINBOOK**

**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. 10) granting the joint motion of complainant InterVideo Digital Technology Corporation ("InterVideo") and respondent WinBook Computer Corporation ("WinBook") to terminate the investigation with respect to WinBook.

**FOR FURTHER INFORMATION CONTACT:** Michelle Walters, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-5468. 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

December 29, 2005, based on a complaint filed by InterVideo of Taiwan, alleging 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 personal computer consumer electronic convergent devices, components thereof, and products containing the same by reason of infringement of claims 1-10 of United States Patent No. 6,765,788. The complaint names four respondents: Dell, Inc. (“Dell”); Cyberlink Corp. (“Cyberlink”); Cyberlink.com Corp. (“Cyberlink.com”); and WinBook.

On February 3, 2006, InterVideo and WinBook jointly moved to terminate the investigation with respect to WinBook, based on a settlement agreement. The Commission investigative attorney supported the motion. The ALJ held a teleconference on April 19, 2006 to discuss the status of the investigation and the representatives for respondents Dell, Cyberlink, and Cyberlink.com all indicated that their clients do not oppose the motion and that they waive the opportunity to file written responses.

On April 20, 2006, the ALJ issued an ID (Order No. 10) granting the joint motion to terminate the investigation with regard to WinBook. The ALJ found that the joint motion complied with the requirements of Commission Rule 210.21 (19 C.F.R. § 210.21) by including copies of the settlement agreement and a statement that there are no other agreements, written or oral, express or implied, between the parties concerning the subject matter of the investigation. In addition, the ALJ concluded, pursuant to Commission Rule 210.50(b)(2) (19 C.F.R. § 210.50(b)(2)), that there is no evidence that termination of this investigation will prejudice the public interest or that settlement will adversely impact the public health and welfare, competitive conditions in the United States economy, the products of like or directly competitive articles in the United States, or United States consumers. Accordingly, the ALJ terminated the investigation with regard to WinBook. No petitions for review of this ID were filed.

Having examined the record of this investigation, the Commission has determined not to review the ALJ’s ID granting the joint motion to terminate the investigation with regard to WinBook.

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.

Marilyn R. Abbott  
Secretary to the Commission

Issued: May 11, 2006