

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

In the Matter of

**CERTAIN NOR AND NAND FLASH  
MEMORY DEVICES AND  
PRODUCTS CONTAINING SAME**

**Inv. No. 337-TA-560**

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL  
DETERMINATION OF THE ADMINISTRATIVE LAW JUDGE  
EXTENDING THE TARGET DATE FOR COMPLETION OF THE INVESTIGATION**

**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. 18) extending the target date for completion of the investigation by four months to August 13, 2007. Order No. 18 also granted complainant's renewed second motion for leave to amend the complaint.

**FOR FURTHER INFORMATION:** Michael Liberman, 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:** On February 13, 2006, the Commission instituted an investigation under section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, based on a complaint filed by SanDisk Corporation of Sunnyvale, California ("SanDisk"), alleging a violation of section 337 in the importation, sale for importation, and sale within the United States

after importation of certain NOR and NAND flash memory devices and products containing same by reason of infringement of claims 27, 28, 32, 51, and 64 of U.S. Patent No. 5,172,338; claims 1-8 and 10-14 of U.S. Patent No. 5,991,517; and claims 7 and 10 of U.S. Patent No. 6,542,956 (“the ‘956 patent”). 71 *Fed. Reg.* 7576 (Feb. 13, 2006). The complainant named STMicroelectronics N.V. of Geneva, Switzerland, and STMicroelectronics, Inc. of Carrollton, Texas (collectively, “ST”) as the respondents. The ‘956 patent was subsequently terminated from this investigation.

On August 15, 2006, the ALJ issued an ID (Order No. 18) extending the target date for completion of the investigation by four months to August 13, 2007. Order No. 18 also granted complainant SanDisk’s renewed second motion for leave to amend the complaint. ST filed a petition for review of Order No. 18 on August 25, 2006. The Commission investigative attorney and complainant SanDisk filed their respective responses to ST’s petition on September 1, 2006. Non-parties also filed submissions requesting review of the ID. On September 6, 2006, SanDisk filed its Opposition to Third Party Motions and Requests for Review of Order No.18.

The Commission has determined not to review Order No. 18.

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

By order of the Commission.

/s/  
Marilyn R. Abbott  
Secretary to the Commission

Issued: September 26, 2006