NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL DETERMINATION GRANTING IN PART RESPONDENT’S MOTION FOR SUMMARY DETERMINATION OF NON-INFRINGEMENT WITH RESPECT TO CERTAIN OF RESPONDENT’S PRODUCTS


ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (“ID”) issued by the presiding administrative law judge (“ALJ”) on November 17, 2006, granting respondent’s motion for summary determination of non-infringement with respect to certain of respondent’s products.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3115. Copies of the public version of the IDs and all 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.

On September 25, 2006, respondent ST filed a motion for summary determination of non-infringement with respect to ST’s SLC NOR, 1G F70 NAND, W9EL Modified Simko and W9EL TIEP products. On October 5, 2006, complainant SanDisk filed an opposition to the motion. On the same day, the Commission investigative attorney filed a response in partial support of the motion. On October 11, 2006, ST filed a motion for leave to file a reply.

On November 17, 2006, the ALJ issued an ID (Order No. 38) in which he granted ST’s motion in part. The ALJ also granted ST’s motion for leave to file a reply. No party petitioned for review of Order No. 38.

The Commission has determined not to review Order No. 38.


By order of the Commission.

/s/
Marilyn R. Abbott
Secretary to the Commission

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