

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

**In the Matter of**

**CERTAIN POWER SUPPLIES**

**Investigation No. 337-TA-646**

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION TERMINATING THE INVESTIGATION WITH RESPECT TO  
RESPONDENT COOLMAX TECHNOLOGY INC.**

**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. 13) granting the joint motion of complainants Ultra Products, Inc. and Systemax, Inc. and respondent Coolmax Technology Inc. to terminate the investigation with respect to respondent Coolmax Technology Inc. based on a settlement agreement.

**FOR FURTHER INFORMATION CONTACT:** Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2301. 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 8, 2008, based on a complaint filed by Ultra Products, Inc. of Fletcher, Ohio and Systemax Inc. of Port Washington, New York (collectively "Ultra"). 73 *Fed. Reg.* 26144-5 (May 8, 2008). The complaint, as amended and supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 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 power supplies by reason of infringement of certain claims of U.S. Patent No. 7,133,293. The complaint further alleges the existence of a domestic industry. The Commission's notice of investigation named a

number of respondents including Coolmax Technology Inc. of Taipei, Taiwan (“Coolmax”). On July 21, 2008, the Commission determined not to review an ID granting Ultra’s motion for leave to amend the complaint and notice of investigation to add a respondent, Super Flower Computer, Inc. 73 Fed. Reg. 42365-6 (July 21, 2008).

On August 18, 2008, Ultra and Coolmax filed a joint motion for termination of the investigation as to Coolmax based on a settlement agreement. The Commission investigative attorney filed a response in support of the motion on August 28, 2008.

On August 29, 2008, the ALJ issued the subject ID, granting under Commission Rule 210.21(b) the joint motion to terminate the investigation as to respondent Coolmax. The ALJ found that there were no extraordinary circumstances that would prevent the requested termination of Coolmax from the investigation. No petitions for review of this ID were filed.

The Commission has determined not to review the ID.

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.

/s/  
Marilyn R. Abbott  
Secretary to the Commission

Issued: September 17, 2008