

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN MAGNETIC DATA
STORAGE TAPES AND CARTRIDGES
CONTAINING THE SAME (II)**

Investigation No. 337-TA-1076

**NOTICE OF COMMISSION DETERMINATION GRANTING A MOTION TO
TERMINATE THE INVESTGATION AS TO U.S. PATENT NO 6,783,094**

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 an initial determination (“ID”) (Order No. 11) granting a motion to terminate the investigation as to U.S. Patent No. 6,783,094 (“the ’094 patent”) based on withdrawal of allegations regarding all of the asserted claims of that patent.

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 (<https://www.usitc.gov>). The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://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 October 25, 2017, based on a complaint filed by FUJIFILM Corporation of Tokyo, Japan and FUJIFILM Recording Media U.S.A., Inc. of Bedford, Massachusetts (collectively, “Fujifilm”). 82 FR 49421-22 (Oct. 25, 2017). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 (“section 337”), in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain magnetic data storage tapes and cartridges containing the same by reason of infringement of certain claims of U.S. Patent Nos. 6,630,256; 6,835,451; 7,011,899; 6,462,905, and the ’094 patent. *Id.* The complaint further alleges that a domestic industry exists in the United States. The notice of investigation named as respondents Sony Corporation of Tokyo, Japan, Sony Storage Media Solutions Corporation of Tokyo, Japan, Sony Storage Media Manufacturing Corporation of Miyagi, Japan, Sony DADC US Inc. of Terre Haute, Indiana, and Sony Latin

America Inc. of Miami, Florida (collectively, “Sony”). *Id.* The Office of Unfair Import Investigations (“OUII”) also was named as a party to the investigation. *Id.*

On March 6, 2018, Fujifilm filed a motion to terminate the investigation as to the ’094 patent based on withdrawal of allegations regarding all of the asserted claims of that patent. The motion indicated that Sony and OUII do not oppose the motion. No responses were received.

On March 19, 2018, the ALJ issued the subject ID granting the motion pursuant to Commission Rule 210.21(a)(1) (19 CFR 210.21(a)(1)). The ID finds that no extraordinary circumstances exist that would prevent the requested partial termination of the investigation. No petitions for review were filed.

The Commission has determined not to review the subject 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 Part 210 of the Commission’s Rules of Practice and Procedure (19 CFR Part 210).

By order of the Commission.

A handwritten signature in black ink, appearing to read "Lisa R. Barton". The signature is fluid and cursive, with the first name "Lisa" being the most prominent part.

Lisa R. Barton
Secretary to the Commission

Issued: April 17, 2018