

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

**In the Matter of**

**CERTAIN ELECTRONIC IMAGING  
DEVICES**

**Investigation No. 337-TA-850**

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION GRANTING FLASHPOINT TECHNOLOGY, INC.'S  
MOTION FOR TERMINATION OF CERTAIN DEPENDENT CLAIMS**

**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 administrative law judge's ("ALJ") initial determination ("ID") (Order No. 19) granting a motion to terminate the investigation as to claims 7, 22, 24, 26, 28, 31, 34-43, 60, 62-68 and 69 of U.S. Patent No. 6,400,471; claims 17 and 23 of U.S. Patent No. 6,222,538; and claims 16, 27, 38, and 49 of U.S. Patent No. 6,223,190.

**FOR FURTHER INFORMATION CONTACT:** Amanda S. Pitcher, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2737. 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 June 29, 2012, based on a complaint filed by FlashPoint Technology, Inc. ("FlashPoint") of Peterborough, New Hampshire alleging violations of section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) by reason of infringement of certain claims of U.S. Patent No. 6,400,471 ("the '471 patent"); U.S. Patent No. 6,222,538 ("the '538 patent"); U.S. Patent No. 6,504,575 (subsequently terminated); and U.S. Patent No. 6,223,190 ("the '190 patent"). The notice of investigation named HTC Corporation of Taoyuan, Taiwan; HTC America, Inc. of Bellevue, Washington; Pantech Co., Ltd. of Seoul, Republic of Korea; Pantech Wireless, Inc. of Atlanta, Georgia; Huawei Technologies Co., Ltd. of Shenzhen, China; FutureWei Technologies, Inc. d/b/a Huawei Technologies (USA) of Plano, Texas; ZTE Corporation of Shenzhen, China; and ZTE (USA) Inc. of Richardson, Texas.

On March 1, 2013, the ALJ issued the subject ID (Order No. 19) granting FlashPoint's motion to terminate the investigation in part as to claims 7, 22, 24, 26, 28, 31, 34-43, 60, 62-68 and 69 of the '471 patent; claims 17 and 23 of the '538 patent; and claims 16, 27, 38, and 49 of the '190 patent. The ALJ noted that FlashPoint represented that there are no agreements, written or oral, express or implied that concern the subject matter of the investigation. The ALJ determined that there were no extraordinary circumstances that would prevent the termination requested by FlashPoint and that public policy supports termination. None of the parties petitioned for review of the ID.

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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', with a stylized flourish at the end.

Lisa R. Barton  
Acting Secretary to the Commission

Issued: March 21, 2013