

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

In the Matter of

**CERTAIN OPTOELECTRONIC
DEVICES FOR FIBER OPTIC
COMMUNICATIONS, COMPONENTS
THEREOF, AND PRODUCTS
CONTAINING SAME**

Investigation No. 337-TA-860

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION EXTENDING THE TARGET DATE**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“the Commission”) has determined not to review an initial determination (“ID”) (Order No. 22) issued by the presiding administrative law judge (“ALJ”) in the above-captioned investigation extending the target date for completion of the investigation.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW, Washington, D.C. 20436, telephone (202) 205-3115. 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, SW, 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: This investigation was instituted by notice on October 25, 2012, based upon a complaint filed by Avago Technologies Fiber IP (Singapore) Pte. Ltd. of Singapore; Avago Technologies General IP (Singapore) Pte. Ltd. of Singapore; and Avago Technologies U.S. Inc. of San Jose, California, alleging a violation of section 337 of the Tariff Act of 1930, as amended, (19 U.S.C. § 1337) in the importation, sale for importation, or sale within the United States after importation of certain optoelectronic devices for fiber optic

communications, components thereof, and products containing the same by reason of infringement of certain claims of U.S. Patent Nos. 6,947,456 and 5,596,595. *77 Fed. Reg.* 65713 (Oct. 30, 2012). The Commission named IPtronics A/S of Roskilde, Denmark; IPtronics Inc. of Menlo Park, California; FCI USA, LLC, of Etters, Pennsylvania; FCI Deutschland GmbH of Berlin, Germany; FCI SA of Guyancourt, France; Mellanox Technologies, Inc. of Sunnyvale, California; and Mellanox Technologies Ltd. of Yokneam, Israel as respondents. The Commission also named the Office of Unfair Import Investigations as a party in this investigation.

On October 18, 2013, the ALJ issued the subject ID. The ALJ noted that on October 1, 2013, the Commission was forced to close due to the government shutdown, and did not reopen until the morning of October 17, 2013. The ALJ stated that pursuant to Commission Rules 210.42(a)(1)(i) and 210.51 (a) and for good cause, he is extending the target date by approximately 4 weeks from February 28, 2014, to March 27, 2014, and that pursuant to the new target date, the final initial determination on violation will be due no later than the close of business on November 27, 2013. No party petitioned for the review of the subject ID. 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 sections 210.21 and 210.42(h) of the Commission's Rules of Practice and Procedure, 19 C.F.R. §§ 210.21, 210.42(h).

By order of the Commission.



Lisa R. Barton
Acting Secretary to the Commission

Issued: November 15, 2013