

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN SILICON-ON-INSULATOR
WAFERS**

Investigation No. 337-TA-966

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION GRANTING AN UNOPPOSED MOTION FOR
PARTIAL TERMINATION OF THE INVESTIGATION BASED ON
WITHDRAWAL OF CERTAIN ASSERTED PATENT 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 an initial determination (“ID”) (Order No. 14) granting an unopposed motion to partially terminate the investigation with respect to claims 2-10, 13, 21, 28, 30, 34, 37, 40, 41, and 44-45 of U.S. Patent No. 6,013,563 (“the ’563 patent”); claims 2-8, 10-12, 25-26, 43, 45-48, 51, and 52 of U.S. Patent No. 6,162,705 (“the ’705 patent”); and claims 2-7, 10-12, 14, 16-21, 24-26, and 28 of U.S. Patent No. 6,103,599 (“the ’599 patent”).

FOR FURTHER INFORMATION CONTACT: Lucy Grace D. Noyola, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3438. 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 (<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 September 24, 2015, based on a complaint filed by Silicon Genesis Corp. of San Jose, California (“Complainant”). 80 *Fed. Reg.* 57641 (Sept. 24, 2015). The complaint, as amended, 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/or the sale within the United States after importation of certain silicon-on-insulator wafers by reason of infringement of certain claims of the ’563, ’599, and ’705 patent, as well as U.S. Patent Nos. 5,985,742; 6,180,496; 6,294,814; 6,790,747; and 7,811,901. *Id.* The notice of investigation names as a

respondent Soitec S.A., Parc Technologique des Fontaines of Bernin, France (“Respondent”).
Id. The Office of Unfair Import Investigations also was named as a party to the investigation.
Id.

On May 4, 2016, Respondent filed an unopposed motion to partially terminate the investigation with respect to claims 2-10, 13, 21, 28, 30, 34, 37, 40, 41, and 44-45 of the ’563 patent; claims 2-8, 10-12, 25-26, 43, 45-48, 51, and 52 of the ’705 patent; and claims 2-7, 10-12, 14, 16-21, 24-26, and 28 of the ’599 patent.

On May 5, 2016, the presiding administrative law judge (“ALJ”) issued an ID (Order No. 14) granting the motion. The ALJ found no extraordinary circumstances preventing Respondent’s withdrawal of the aforementioned patent claims. No petitions for review of the ID 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 C.F.R. Part 210).

By order of the Commission.

A handwritten signature in black ink, appearing to read "Lisa R. Barton". The signature is stylized and cursive.

Lisa R. Barton
Secretary to the Commission

Issued: May 31, 2016