

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

**In the Matter of**

**CERTAIN AUTOMATED TELLER  
MACHINES, ATM MODULES,  
COMPONENTS THEREOF, AND  
PRODUCTS CONTAINING THE SAME**

**Investigation No. 337-TA-972**

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN  
INITIAL DETERMINATION TERMINATING-IN-PART THE INVESTIGATION  
BASED ON A PARTIAL WITHDRAWAL OF THE COMPLAINT**

**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. 14) terminating-in-part the investigation based on a partial withdrawal of the complaint.

**FOR FURTHER INFORMATION CONTACT:** Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-5468. 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 November 20, 2015, based on a complaint filed by Diebold Incorporated and Diebold Self-Service Systems (collectively, "Diebold"). 80 Fed. Reg. 72735-36 (Nov. 20, 2015). The complaint alleged 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 automated teller machines, ATM modules, components thereof, and products containing the same by reason of infringement of certain claims of United States Patent Nos. 6,082,616 ("the '616 patent");

7,121,461 (“the ’461 patent”); 7,229,010 (“the ’010 patent”); 7,249,761 (“the ’761 patent”); 7,314,163 (“the ’163 patent”); and 7,832,631 (“the ’631 patent”). *Id.* The notice of investigation named as respondents Nautilus Hyosung Inc. of Seoul, Republic of Korea; Nautilus Hyosung America Inc. of Irving, Texas; and HS Global, Inc. of Brea, California. *Id.* at 72736. The Office of Unfair Import Investigations (OUII) is not a party to the investigation. *Id.* The Commission previously terminated the investigation with respect to the ’461 and ’761 patents. Order No. 12 (Apr. 28, 2016), *not reviewed* Notice (May 11, 2016).

On May 20, 2016, Diebold filed an unopposed motion to withdraw and terminate from the investigation claims 2, 17, 18, 20, 22, 23 of the ’616 patent; claims 2-12, 18, 22-23, and 28-30 of the ’010 patent; claims 1-5 and 13-19 of the ’163 patent; and claims 8 and 12-17 of the ’631 patent. No response to the motion was filed.

On May 24, 2016, the ALJ issued the subject ID, granting the motion and terminating the investigation with respect to those claims. The ALJ found that the motion complied with the Commission’s rules and is in the public interest. No petition for review of the subject ID was 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.



Lisa R. Barton  
Secretary to the Commission

Issued: June 22, 2016