

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C. 20436

In the Matter of

**CERTAIN OPTICAL DISK CONTROLLER CHIPS
AND CHIPSETS AND PRODUCTS CONTAINING
SAME, INCLUDING DVD PLAYERS AND PC OPTICAL
STORAGE DEVICES**

Inv. No. 337-TA-506

**NOTICE OF COMMISSION DECISION NOT TO REVIEW
AN INITIAL DETERMINATION TERMINATING THE INVESTIGATION AS TO
CLAIMS 2-6, 8-10, AND 11 OF U.S. PATENT NO. 6,466,736 AND CLAIMS 2-4, 6, 9, 11,
12, 15-18, 20, 22-34, AND 35 OF U.S. PATENT NO. 6,546,440**

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's") initial determination ("ID") terminating the investigation as to certain patent claims.

FOR FURTHER INFORMATION CONTACT: Clara Kuehn, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3012. Copies of the ALJ's ID and all other nonconfidential 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-ON-LINE) 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 April 14, 2004, based on a complaint filed on behalf of Zoran Corporation and Oak Technology, Inc. both of Sunnyvale, CA (collectively "complainants)." 69 *Fed. Reg.* 19876. The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain optical disk

controller chips and chipsets and products containing same, including DVD players and PC optical storage devices, by reason of infringement of claims 1–12 of U.S. Patent No. 6,466,736 (the ‘736 patent), claims 1–3 of U.S. Patent No. 6,584,527, and claims 1–35 of U.S. Patent No. 6,546,440 (the ‘440 patent). The notice of investigation identified 12 respondents. On June 7, 2004, the ALJ issued an ID (Order No. 5) terminating the investigation as to two respondents on the basis of a consent order and settlement agreement. On June 22, 2004, the ALJ issued an ID (Order No. 7) granting complainants’ motion to amend the complaint and notice of investigation to add nine additional respondents. Those IDs were not reviewed by the Commission.

On December 22, 2004, complainants moved pursuant to Commission rule 210.21(a) to terminate the investigation in part by withdrawal of the infringement allegations as to claims 2–6, 8–10, and 11 of the ‘736 patent and claims 2–4, 6, 9, 11, 12, 15–18, 20, 22–34, and 35 of the ‘440 patent. No responses to the motion were filed.

On December 22, 2004, the presiding administrative law judge issued an ID (Order No. 33) granting the motion.

No petitions for review of the ID were filed.

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.

Marilyn R. Abbott
Secretary to the Commission

Issued: January 11, 2005