

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

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**In the Matter of** )

**CERTAIN SYSTEMS FOR DETECTING AND** )  
**REMOVING VIRUSES OR WORMS, COMPONENTS** )  
**THEREOF, AND PRODUCTS CONTAINING SAME** )

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**Inv. No. 337-TA-510**

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL  
DETERMINATION TERMINATING THE INVESTIGATION AS TO CLAIMS 2, 5-6, 9-10,  
AND 16-22 OF U.S. PATENT NO. 5,623,600**

**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") (Order No. 6) terminating the above-captioned investigation as to claims 2, 5-6, 9-10, and 16-22 of U.S. Patent No. 5,623,600 ("the '600 patent").

**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) 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 8, 2004, based on a complaint filed on behalf of Trend Micro Inc. of Cupertino, CA ("complainant"). 69 *Fed. Reg.* 32044 (June 8, 2004). The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930 in the importation into the United States, sale for importation, and sale within the

United States after importation of certain systems for detecting and removing viruses or worms, components thereof, and products containing same by reason of infringement of claims 1-22 of the '600 patent. The notice of investigation named as the sole respondent Fortinet, Inc. of Sunnyvale, CA. *Id.*

On September 21, 2004, complainant filed an unopposed motion to terminate the investigation in part as to allegations of infringement of claims 2, 5-6, 9-10, and 16-22 of the '600 patent based on the withdrawal of the allegations.

On October 12, 2004, the ALJ issued an ID (Order No. 6) granting complainant's motion. No party petitioned for review of 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.

Marilyn R. Abbott  
Secretary to the Commission

Issued: October 27, 2004