

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

**In the Matter of**

**CERTAIN MLC FLASH MEMORY  
DEVICES AND PRODUCTS  
CONTAINING SAME**

**Investigation No. 337-TA-683**

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION GRANTING COMPLAINANT'S MOTION FOR SUMMARY  
DETERMINATION OF IMPORTATION**

**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. 22) granting complainant's motion for summary determination of importation in Inv. No. 337-TA-683, *Certain MLC Flash Memory Devices and Products Containing Same*.

**FOR FURTHER INFORMATION CONTACT:** Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-1999. 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 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:** The Commission instituted this investigation on August 27, 2009, based on a complaint filed by BTG International, Inc. of West Conshohocken, Pennsylvania ("BTG"). 74 *Fed. Reg.* 43723-4 (August 27, 2009). The complaint, as amended and supplemented, 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 the sale within the United States after importation of certain MLC flash memory devices and products containing same by reason of infringement of certain claims of U.S. Patent Nos. 5,394,362 ("the '362 patent"); 5,764,571 ("the '571 patent"); 5,872,735 ("the '735 patent"), 6,104,640 ("the '640 patent"); and 6,118,692 ("the '692 patent"). The complaint further alleges the existence of a domestic industry. The Commission's notice of investigation named numerous respondents. On

February 22, 2010, the Commission determined not to review an ID granting BTG's motion to partially terminate the investigation as to the '735, '640, and '692 patents.

On March 17, 2010, BTG filed a motion for summary determination that it has satisfied the importation requirement with respect to the '362 and '571 patents. On March 29, 2010, the respondents and the Commission investigative attorney responded that they did not oppose the motion.

On April 15, 2010, the ALJ issued the subject ID, granting BTG's motion pursuant to Commission Rule 210.18 (19 C.F.R. § 210.18). No petitions for review were filed.

The Commission has determined not to review 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.

/s/  
Marilyn R. Abbott  
Secretary to the Commission

Issued: April 30, 2010