

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

In the Matter of

**CERTAIN RECORDABLE COMPACT DISCS
AND REWRITABLE COMPACT DISCS**

Inv. No. 337-TA-474

**NOTICE OF COMMISSION DECISION NOT TO REVIEW
AN INITIAL DETERMINATION GRANTING A MOTION FOR SUMMARY
DETERMINATION OF IMPORTATION AND SALE**

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") granting a motion for summary determination on the issues of importation and sale.

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 July 26, 2002, based on a complaint filed by U.S. Philips Corporation of Tarrytown, NY, ("complainant") alleging 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 recordable compact discs and rewritable compact discs by reason of infringement of claims of six U.S. patents. 67 *Fed. Reg.* 48948 (2002). The notice of investigation identified 19 respondents, including GigaStorage Corporation Taiwan of Hsinchu, Taiwan; GigaStorage Corporation USA of Livermore, CA; and Linberg Enterprise Inc. of West

Orange, NJ (collectively, the “Linberg respondents”). On August 14, 2002, the ALJ issued an ID granting the motion to intervene as respondents of Princo Corporation of Hsin-Chu, Taiwan, and Princo America Corporation of Fremont, CA (collectively, the “Princo respondents”). That ID was not reviewed by the Commission.

On January 21, 2003, complainant moved pursuant to Commission rule 210.18 for summary determination that the importation and sale requirement of section 337 is satisfied with respect to the Linberg and Princo respondents. On January 31, 2003, the Commission investigative attorney filed a response supporting complainant’s motion.

On April 7, 2003, the ALJ issued an ID (Order No. 20) granting complainant’s 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: April 24, 2003