

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

**In the Matter of**

**CERTAIN NOISE CANCELLING  
HEADPHONES**

**Investigation No. 337-TA-626**

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION TERMINATING THE INVESTIGATION AS TO RESPONDENT  
LOGITECH, INC. ON THE BASIS OF A SETTLEMENT AGREEMENT**

**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. 8) granting the joint motion to terminate the captioned investigation as to respondent Logitech, Inc. based on a settlement agreement.

**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) 708-2301. 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:** This investigation was instituted on December 26, 2007, based on a complaint filed by Bose Corporation of Framingham, Massachusetts ("Bose"). 73 *Fed. Reg.* 882 (January 4, 2008). The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930 (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 noise cancelling headphones by reason of infringement of certain claims of United States Patent Nos. 5,181,252 and 6,597,792. The complaint named as respondents Phitek Systems Limited of New Zealand; Phitek Systems Limited of San Jose, California; GN Netcom, Inc. of Nashua, New

Hampshire; Audio Technica U.S., Inc. of Stow, Ohio; Creative Labs, Inc. of Milpitas, California; Logitech Inc. (“Logitech”) of Fremont, California; and Panasonic Corporation of North America of Secaucus, New Jersey.

On April 18, 2008, Bose and Logitech jointly moved to terminate the investigation as to Logitech on the basis of a settlement agreement. On April 30, 2008, the Commission investigative attorney filed a response supporting the motion.

On May 2, 2008, the ALJ granted the joint motion to terminate the investigation as to Logitech based on the settlement agreement. The ALJ found that the motion complied with the requirements of Commission Rule 210.21(b) by including copies of the settlement agreement and a statement that there are no other agreements, written or oral, express or implied, between the parties concerning the subject matter of the investigation. The ALJ concluded, pursuant to Commission Rule 210.50(b)(2), that there is no evidence that termination of this investigation will prejudice the public interest. No petitions for review of this ID 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: May 28, 2008