

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

In the Matter of)

CERTAIN PERSONAL COMPUTERS,)
MONITORS, AND COMPONENTS)
THEREOF)

Inv. No. 337-TA-519

**NOTICE OF DECISION NOT TO REVIEW AN INITIAL DETERMINATION
GRANTING COMPLAINANT’S MOTION TO TERMINATE THE INVESTIGATION
IN PART**

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 an initial determination (“ID”) issued by the presiding administrative law judge (“ALJ”) on May 23, 2005, granting complainant’s motion to terminate the above-captioned investigation as to claims 1, 8, 14, 20, 34, and 35 of U.S. Patent No. 5,192,999.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3115. Copies of the public version of the IDs and all 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. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. 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>.

SUPPLEMENTARY INFORMATION: On August 6, 2004, the Commission instituted an investigation under section 337 of the Tariff Act of 1930, 19 U.S.C. §1337, based on a complaint filed by Gateway, Inc. of Poway, California (“Gateway”) alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain personal computers, monitors, and components thereof by reason of infringement of claims 1-3, 9-11, 13-14, 20-21, 27-28, 30-32, and 38-40 of U.S. Patent No. 5,881,318 (“the ‘318 patent”); claims 1-3, 5, 7-12, 14-29, 31-36, and 38 of U.S. Patent No. 5,192,999 (“the ‘999 patent”); and claims 1-2 and 4-6 of U.S. Patent No. 6,326,996 (“the ‘996 patent”). 69 *Fed. Reg.* 47956 (August 6, 2004). The complainant named Hewlett-Packard Company of Palo Alto, California, as respondent. Subsequently, the investigation was terminated in part as to claims 2,

3, 5, 7, 12, 21-29, 31-33, 36, and 38 of the '999 patent, and as to the '318 and '996 patents in their entirety.

On May 20, 2005, complainant Gateway moved to terminate the investigation in part as to claims 1, 8, 14, 20, 34, and 35 of the '999 patent. No party opposed the motion. On May 23, 2005, the presiding ALJ issued an ID granting complainant's motion. No party petitioned for review of the ALJ's 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: June 7, 2005