

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

In the Matter of

**CERTAIN NOR AND NAND FLASH
MEMORY DEVICES AND PRODUCTS
CONTAINING SAME**

Inv. No. 337-TA-560

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL
DETERMINATION OF THE ADMINISTRATIVE LAW JUDGE
TERMINATING THE INVESTIGATION AS TO TWO CLAIMS OF
ONE ASSERTED PATENT**

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. 30) terminating the above-captioned investigation as to two claims of U.S. Patent No. 5,991,517 ("the '517 patent").

FOR FURTHER INFORMATION: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3152. Copies of the 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. 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 February 13, 2006, 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 SanDisk Corporation of Sunnyvale, California ("SanDisk"), alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain NOR and NAND flash memory devices and products containing

same by reason of infringement of claims 27, 28, 32, 51, and 64 of U.S. Patent No. 5,172,338; claims 1-8 and 10-14 of the '517 patent; and claims 7 and 10 of U.S. patent No. 6,542,956 ("the '956 patent"). 71 *Fed. Reg.* 7576 (Feb. 13, 2006). The complainant named STMicroelectronics N.V. of Geneva, Switzerland, and STMicroelectronics, Inc. of Carrollton, Texas as the respondents.

On April 25, 2006, the ALJ issued an ID (Order No. 4) granting complainant's motion to amend the Complaint and Notice of Investigation. On June 1, 2006, the ALJ issued an ID (Order No. 8) terminating the investigation with respect to all asserted claims of the '956 patent. The Commission determined not to review either of these IDs.

On October 10, 2006, the ALJ issued an ID (Order No. 30) terminating the investigation with respect to claims 2 and 4 of the '517 patent. No party petitioned for review of Order No. 30.

The Commission has determined not to review Order No. 30.

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(h) of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.42(h)).

By order of the Commission.

/s/
Marilyn R. Abbott
Secretary to the Commission

Issued: October 27, 2006