

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

**In the Matter of**

**CERTAIN SHORT WAVELENGTH  
SEMICONDUCTOR LASERS AND  
PRODUCTS CONTAINING SAME**

**Investigation No. 337-TA-627**

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL  
DETERMINATION GRANTING JOINT MOTION TO TERMINATE THE  
INVESTIGATION BASED UPON A SETTLEMENT AGREEMENT; TERMINATION  
OF THE INVESTIGATION**

**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”) (Order No. 33) issued by the presiding administrative law judge (“ALJ”) granting a joint motion to terminate the above-captioned investigation filed jointly by complainant Seoul Semiconductor Co. Ltd. (“SSC”) and respondents Nichia Corp. (“Nichia”), Hitachi Ltd., Hitachi America, Ltd. (collectively, “Hitachi”), Panasonic Corp., Panasonic Communications Co., Ltd. (collectively, “Panasonic”), and LaCie Ltd. (“LaCie”).

**FOR FURTHER INFORMATION CONTACT:** Paul M. Bartkowski, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-5432. 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 January 3, 2008, based on a complaint filed by SSC. 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 short wavelength semiconductor lasers (“SWCLs”) and products containing the same that infringe claim 1 of U.S. Patent No. 5,321,713. The complaint initially named Nichia as the sole respondent, and was later amended to add Hitachi, Panasonic, and LaCie.

On January 30, 2009, SSC, Nichia, Hitachi, Panasonic, and LaCie filed a joint motion to terminate the investigation based upon a settlement agreement. On February 10, 2009, the Commission investigative attorney filed a response in support of the motion.

On February 11, 2009, the ALJ issued the subject ID granting the motion. No petitions for review were filed. The Commission has determined not to review the subject 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 sections 210.21 and 210.42 of the Commission's Rules of Practice and Procedure (19 C.F.R. §§ 210.21; 210.42).

By order of the Commission.

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Marilyn R. Abbott  
Secretary to the Commission

Issued: March 11, 2009