UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of **CERTAIN POWER SUPPLIES**	**Investigation No. 337-TA-646**

NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL DETERMINATION TERMINATING THE INVESTIGATION WITH RESPECT TO RESPONDENTS ENERMAX TECHNOLOGY CORPORATION AND ENERMAX USA CORPORATION

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. 14) granting the motion of complainants Ultra Products, Inc. and Systemax, Inc. to terminate the investigation with respect to respondents Enermax Technology Corporation and Enermax USA Corporation 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: The Commission instituted this investigation on May 8, 2008, based on a complaint filed by Ultra Products, Inc. of Fletcher, Ohio and Systemax Inc. of Port Washington, New York (collectively "Ultra"). 73 *Fed. Reg.* 26144-5 (May 8, 2008). The complaint, as amended and supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 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 power supplies by reason of infringement of certain claims of U.S. Patent No. 7,133,293. The complaint further alleges the existence of a domestic industry. The Commission's notice of investigation named a number of respondents including Enermax Technology Corporation of Taoyuan, Taiwan and Enermax USA Corporation of City of Industry, California (collectively "Enermax"). On July 21, 2008, the Commission determined not to review an ID granting Ultra's motion for leave to amend the complaint and notice of investigation to add a respondent, Super Flower Computer, Inc. 73 Fed. Reg. 42365-6 (July 21, 2008).

On September 12, 2008, Ultra filed under Commission Rule 210.21(a) a motion for termination of the investigation with respect to respondents Enermax based on a withdrawal of allegations from the Complaint. On September 19, 2008, the Commission Investigative Attorney ("IA") filed a response in support of the motion. On September 19, 2008, Ultra filed a supplement to its motion to terminate. On September 25, 2008, Enermax filed a further response to the motion.

On October 7, 2008, the ALJ issued the subject ID, granting under Commission Rule 210.21(a) Ultra's motion to terminate the investigation as to respondents Enermax. The ALJ found that there were no extraordinary circumstances that would prevent the requested termination of Enermax from the investigation. 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: October 27, 2008