

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington D.C. 20436

In the Matter of)

CERTAIN EQUIPMENT FOR)
TELECOMMUNICATIONS OR DATA)
COMMUNICATIONS NETWORKS,)
INCLUDING ROUTERS, SWITCHES,)
AND HUBS, AND COMPONENTS THEREOF)

Inv. No. 337-TA-574

**NOTICE OF COMMISSION DETERMINATION 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") ("Order No. 6") of the presiding administrative law judge ("ALJ") granting complainant's motion to terminate the above-captioned investigation as to U.S. Patent No. 4,893,306 and claims 1, 3, 5, and 8 of U.S. Patent No. Re. 36,633.

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., telephone 202-708-2310, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436. Copies of 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 SW., Washington, D.C. 20436, telephone 202-205-2000. 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-ON-LINE) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on June 16, 2006, based on a complaint filed on May 15, 2006, by Telcordia Technologies, Inc. ("Telcordia") of Piscataway, New Jersey. An amended complaint was filed on June 5, 2006.

The complaint as amended alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain equipment for telecommunications or data communications networks, including routers, switches, hubs, and components thereof, by reason of infringement of claims 1, 3, and 4 of U.S. Patent No. 4,893,306 (“the ‘306 patent”); claims 1, 3, 5, 8, 11, and 33 of U.S. Patent No. Re. 36,633 (“the ‘633 patent”); and claims 1, 2, 7, and 8 of U.S. Patent No. 4,835,763. The amended complaint named five respondents: Cisco Systems, Inc. of San Jose, California; Lucent Technologies, Inc. of Murray Hill, New Jersey; Alcatel S.A. of France; Alcatel USA, Inc. of Plano, Texas; and PMC-Sierra, Inc. of Santa Clara, California. The complaint further alleged that an industry in the United States exists as required by subsection (a)(2) of section 337.

On July 14, 2006, the complainant Telcordia moved to terminate the investigation as to the ‘306 patent and claims 1, 3, 5, and 8 of the ‘633 patent. The respondents did not oppose the termination of the investigation as to the identified patent and claims.

The ALJ issued the subject ID on July 31, 2006, granting the motion for partial termination. No party petitioned for review of the ID pursuant to 19 C.F.R. § 210.43(a), and the Commission found no basis for ordering a review on its own initiative pursuant to 19 C.F.R. § 210.44.

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(a)(1) and 210.42(h) of the Commission’s Rules of Practice and Procedure.

By order of the Commission.

/s/
Marilyn R. Abbott
Secretary to the Commission

Issued: August 23, 2006