

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

In the Matter of

**CERTAIN SEMICONDUCTOR CHIPS  
WITH MINIMIZED CHIP PACKAGE  
SIZE AND PRODUCTS CONTAINING  
SAME**

**Inv. No. 337-TA-605**

**NOTICE OF COMMISSION DECISION TO REVIEW  
AND REVERSE ALJ ORDER NO. 52**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to review Order No. 52 issued by the presiding administrative law judge (“ALJ”) on February 26, 2008. On review, the Commission has determined to modify Order No. 52 to deny respondents’ motion for stay.

**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 May 21, 2007, the Commission instituted this investigation based on a complaint filed by Tessera, Inc. of San Jose, California (“Tessera”) against Spansion, Inc. and Spansion, LLC, both of Sunnyvale, California; QUALCOMM, Inc. of

San Diego, California; ATI Technologies of Thornhill, Ontario, Canada; Motorola, Inc. of Schaumburg, Illinois; STMicroelectronics N.V. of Geneva, Switzerland; and Freescale Semiconductor, Inc. of Austin, Texas. *72 Fed. Reg.* 28522 (May 21, 2007). The complaint 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 semiconductor chips with minimized chip package size or products containing same by reason of infringement of one or more of claims 1, 2, 6, 12, 16-19, 21, 24-26, and 29 of U.S. Patent No. 5,852,326, and claims 1-11, 14, 15, 19, and 22-24 of U.S. Patent No. 6,433,419.

On February 26, 2008, the ALJ issued Order No. 52 styled “Initial Determination Granting Respondents’ Motion for Stay Pending Reexamination.” On March 4, 2008, complainant Tessera and the Commission investigative attorney each filed a petition for review of Order No. 52. On March 11, 2008, respondents filed their opposition to the petitions for review.

Having examined the record in this investigation, the Commission has determined to review Order No. 52. On review, the Commission has determined to reverse Order No. 52 and deny respondents’ motion for stay.

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 210.42-210.45 of the Commission’s Rules of Practice and Procedure (19 C.F.R. §§ 210.42-210.45).

By order of the Commission.

/s/  
Marilyn R. Abbott  
Secretary to the Commission

Issued: March 27, 2008