

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN DIGITAL IMAGING DEVICES AND
RELATED SOFTWARE**

Investigation No. 337-TA-717

**NOTICE OF COMMISSION DETERMINATION GRANTING A REQUEST
BY THE ADMINISTRATIVE LAW JUDGE FOR JUDICIAL ENFORCEMENT
OF A SUBPOENA**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to grant a request by the presiding administrative law judge (ALJ) for judicial enforcement of a subpoena in this investigation and has authorized its Office of the General Counsel to seek such enforcement.

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 (<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 19, 2010, under section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, based on a complaint filed by Apple, Inc. ("Apple") of Cupertino, CA, alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain digital imaging devices and related software by reason of infringement of certain claims of U.S. Patent Nos. 6,031,964 and RE38,911. The complaint named Eastman Kodak Co. ("Kodak") of Rochester, NY as respondent.

On October 8, 2010, the ALJ issued Order No. 12, granting a motion filed by Apple seeking judicial enforcement by the Commission of a subpoena *ad testificandum* and *duces tecum* served on third party Altek Lab, Inc. The Commission has granted the ALJ's request and has authorized its Office of the General Counsel to seek judicial enforcement of the subpoena.

The authority for the Commission's determination is contained in 19 U.S.C. § 1333, section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, and Commission Rule of Practice and Procedure 210.32(g), 19 C.F.R. § 210.32(g).

By order of the Commission.

/s/
Marilyn R. Abbott
Secretary to the Commission

Issued: November 1, 2010