

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

In the Matter of

**CERTAIN LIGHT-EMITTING DIODES
AND PRODUCTS CONTAINING SAME**

Investigation No. 337-TA-798

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANTS' MOTION TO TERMINATE THE
INVESTIGATION IN PART AS TO U.S. PATENT NO. 7,838,315**

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. 32) granting the motion of complainants Samsung LED Co., Ltd. of Suwon City, South Korea and Samsung LED America, Inc. of Atlanta, Georgia (collectively "SLED") to terminate the investigation in part as to U.S. Patent No. 7,838,315 ("the '315 patent").

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 August 18, 2011, based on a complaint filed by SLED. *76 Fed. Reg.* 51396-97 (Aug. 18, 2011). A corrected Notice of Investigation was issued on August 16, 2011, indicating that the Office of Unfair Import Investigations will not participate as a party in this investigation. *76 Fed. Reg.* 52348-49 (Aug. 22, 2011). The complaint 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 light-emitting diodes and products containing same by reason of infringement of certain claims of U.S. Patent Nos. 7,282,741; 7,893,443; 7,838,315 ("the '315 patent"); 7,959,312; 7,964,881; 6,551,848 ("the '848 patent"); 7,268,372 ("the '372 patent"); and 7,771,081 ("the '081 patent"). The complaint

further alleges the existence of a domestic industry. The Commission's notice of investigation named as respondents OSRAM GmbH of Munich, Germany ("OSRAM GmbH"); OSRAM Opto Semiconductors GmbH of Regensburg, Germany; OSRAM Opto Semiconductors Inc. of Sunnyvale, California; and OSRAM Sylvania Inc. of Danvers, Massachusetts. On December 7, 2011, the Commission determined not to review an ID (Order No. 15) granting SLED's motion to amend the Notice of Investigation to change the name of respondent OSRAM GmbH to OSRAM AG. Notice (Dec. 7, 2011). Notice (Dec. 7, 2011). On May 25, 2012, the Commission determined not to review an ID (Order No. 23) terminating the investigation with respect to the '848 patent, the '372 patent, and the '081 patent. Notice (May 25, 2012).

On July 13, 2012, SLED filed a motion for partial termination of the investigation with respect to the '315 patent. The motion indicated that the respondents did not oppose the motion.

On July 16, 2012, the ALJ issued the subject ID, granting SLED's motion pursuant to section 210.21(a)(1) of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.21(a)(1)). 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/
Lisa R. Barton
Acting Secretary to the Commission

Issued: July 31, 2012