

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

**In the Matter of**

**CERTAIN FLASH MEMORY CHIPS  
AND PRODUCTS CONTAINING SAME**

**Investigation No. 337-TA-735**

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION TERMINATING THE INVESTIGATION AS TO  
CLAIM 4 OF U.S. PATENT NO. 6,369,416**

**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. 38) granting complainant's unopposed motion for partial termination of the investigation as to claim 4 of U.S. Patent No. 6,369,416 in Inv. No. 337-TA-735, *Certain Flash Memory Chips And Products Containing Same*.

**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) 205-1999. 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 September 13, 2010, based on a complaint filed by Spansion LLC of Sunnyvale, California ("Spansion"). 75 *Fed. Reg.* 55604-5 (Sept 13, 2010). 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 flash memory chips and products containing same by reason of infringement of certain claims of U.S. Patent Nos. 7,018,922; 6,900,124 ("the '124 patent"); 6,459,625; and 6,369,416 ("the '416 patent"). The complaint further alleges the existence of a domestic industry. The Commission's notice of investigation named various respondents. On April 27, 2011, the

Commission terminated the investigation as to claims 6-10 of the '124 patent.

On May 23, 2011, Spansion filed an unopposed motion to partially terminate the investigation by withdrawing allegations relating to claim 4 of the '416 patent.

On May 24, 2011, the ALJ issued the subject ID, granting Spansion's unopposed motion to partially terminate the investigation as to claim 4 of the '416 patent pursuant to Commission Rule 210.21(a)(1) (19 C.F.R. § 210.21(a)(1)). No petitions for review 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.

James R. Holbein  
Secretary to the Commission

Issued: June 13, 2011