

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

In the Matter of

**CERTAIN DC-DC CONTROLLERS AND
AND PRODUCTS CONTAINING SAME**

Inv. No. 337-TA-698
(Enforcement Proceeding)

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN
INITIAL DETERMINATION TERMINATING THE ENFORCEMENT PROCEEDING
AS TO RESPONDENT SAPPHIRE TECHNOLOGY LIMITED BASED ON A
SETTLEMENT AGREEMENT**

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. 89) of the presiding administrative law judge (“ALJ”) terminating the above-captioned enforcement proceeding as to Sapphire Technology Limited (“Sapphire”) of New Town, Hong Kong based on a settlement agreement.

FOR FURTHER INFORMATION CONTACT: Clint A. Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436, telephone (202) 205-3061. 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) 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 enforcement proceeding on September 6, 2011, based on an enforcement complaint filed by Richtek Technology Corp. of Hsinchu, Taiwan and Richtek USA, Inc. of San Jose, California (collectively “Richtek”). 76 *Fed. Reg.* 55109-10. The complaint alleged violations of the August 13, 2010 consent orders issued in the underlying investigation by the continued practice of prohibited activities such as importing, offering for sale, and selling for importation into the United States DC-DC controllers or products containing the same that infringe one or more of U.S. Patent Nos. 7,315,190; 6,414,470; and 7,132,717; or that contain or use Richtek’s asserted

trade secrets. The Commission's notice of institution of enforcement proceedings named uPI Semiconductor Corp. ("uPI") of Hsinchu, Taiwan and Sapphire as respondents.

On February 29, 2012, Richtek and Sapphire moved to terminate the enforcement proceeding as to Sapphire on the basis of a settlement agreement. The Commission investigative attorney did not oppose the motion, and uPI filed a response stating that it was unable to either oppose or support, or take any position as to the joint motion for termination.

The ALJ issued the subject ID on March 20, 2012, granting the joint motion for termination. He found that the motion for termination satisfies Commission rules 210.21(a)(2), (b)(1). He further found, pursuant to Commission rule 210.50(b)(2), that termination of this enforcement proceeding as to Sapphire is in the public interest. No party petitioned for review of the ID. 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 sections 210.21 and 210.42(h) of the Commission's Rules of Practice and Procedure, 19 C.F.R. §§ 210.21, 210.42(h).

By order of the Commission.

A handwritten signature in black ink, appearing to read "J. R. Holbein". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

James R. Holbein
Secretary to the Commission

Issued: April 11, 2012