

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 (III)**

Investigation No. 337-TA-630

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION GRANTING THE MOTION OF RESPONDENTS
A-DATA TECHNOLOGY CO., LTD., AND A-DATA TECHNOLOGY (USA) CO., LTD.,
TO TERMINATE THE INVESTIGATION AS TO THEM
BASED ON A CONSENT ORDER; ISSUANCE OF CONSENT ORDER**

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. 35) in the above-captioned investigation granting the motion of A-DATA Technology Co., Ltd. and A-DATA Technology (USA) Co., Ltd. to terminate the investigation as to them based on a consent order and has issued the subject consent order.

FOR FURTHER INFORMATION CONTACT: James Worth, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3065. 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: This investigation was instituted on January 14, 2008, based upon a complaint filed on behalf of Tessera, Inc. of San Jose, California (“Tessera”) on December 21, 2007, and supplemented on December 28, 2007. *73 Fed. Reg. 2276* (January 14, 2008). The complaint alleged violations of subsection (a)(1)(B) of section 337 of the Tariff Act of 1930 (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 semiconductor chips with minimized chip package size or products containing same by reason of infringement

of various claims of United States Patent Nos. 5,663,106; 5,679,977; 6,133,627; and 6,458,681. The notice of investigation named eighteen firms as respondents.

On July 9, 2008, respondents A-DATA Technology Co., Ltd. and A-DATA Technology (USA) Co., Ltd. (collectively "A-DATA") filed a motion to terminate the investigation as to them based on a consent order. The motion included a proposed consent order and consent order stipulation. On July 21, 2008, A-DATA filed an amended proposed consent order. Also on July 21, 2008, the Commission investigative attorney filed a response in support of the motion, and Tessera filed a response in opposition. On July 25, 2008, A-DATA filed a reply. On July 28, 2008, Tessera filed a surreply.

On September 22, 2008, the ALJ issued the subject ID granting A-DATA's motion pursuant to Commission Rule 210.21(c). On September 29, 2008, Tessera filed a petition for review. No responses were filed. The Commission has determined not to review the subject ID.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and in sections 210.42 - .46 of the Commission's Rules of Practice and Procedure (19 C.F.R. §§ 210.42 - .46).

By order of the Commission.

/s/
Marilyn R. Abbott
Secretary to the Commission

Issued: October 23, 2008