

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

**In the Matter of**

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

**Inv. No. 337-TA-735**

**NOTICE OF INVESTIGATION**

AGENCY: U.S. International Trade Commission

ACTION: Institution of investigation pursuant to 19 U.S.C. § 1337

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on August 6, 2010, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Spansion LLC of Sunnyvale, California. Letters supplementing the complaint were filed on August 17 and August 20, 2010. The complaint alleges violations of section 337 based upon 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 the same by reason of infringement of certain claims of U.S. Patent No 7,018,922 (“the ‘922 patent”); U.S. Patent No. 6,900,124 (“the ‘124 patent”); U.S. Patent No. 6,459,625 (“the ‘625 patent”); U.S. Patent No. 6,369,416 (“the ‘416 patent”). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue an exclusion order and a cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is 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., Room 112, Washington, D.C. 20436, telephone 202-205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 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>.

FOR FURTHER INFORMATION CONTACT: Stephen R. Smith, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2746.

**AUTHORITY:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.10 (2010).

**SCOPE OF INVESTIGATION:** Having considered the complaint, the U.S. International Trade Commission, on September 7, 2010, ORDERED THAT –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain flash memory chips and products containing the same that infringe one or more of claims 1-7 of the '922 patent; claims 1-10 of the '124 patent; claims 1-14 of the '625 patent; and claims 1-4 of the '416 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

Spansion LLC  
915 DeGuigne Drive  
P.O. Box 3453  
Sunnyvale, CA 94088

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Samsung Electronics Co., Ltd.  
250, Taepyeongno 2-ga, Jung-gu  
Seoul 100-742  
South Korea

Samsung Electronics America, Inc.  
105 Challenger Road  
Ridgefield Park, NJ 07660

Samsung International, Inc.  
10220 Sorrento Valley Road  
San Diego, CA 92121

Samsung Semiconductor, Inc.  
3655 North First Street  
San Jose, CA 95134

Samsung Telecommunications America, LLC  
1301 E. Lookout Drive  
Richardson, TX 75082

Apple, Inc.  
1 Infinite Loop  
Cupertino, CA 95014

Nokia Corp.  
Keilalahdentie 4  
FIN 0045 Espoo  
Finland

Nokia Inc.  
6000 Connection Drive  
Irving, TX 75039

PNY Technologies, Inc.  
299 Webro Road  
Parsippany, NJ 07054

Research In Motion Ltd.  
295 Phillip Street  
Waterloo, Ontario  
Canada N2L 3W8

Research In Motion Corporation  
122 W. John Carpenter Parkway, Suite 430  
Irving, TX 75039

Transcend Information Inc.  
No. 70, XingZhong Rd., NeiHu District  
Taipei, Taiwan

Transcend Information, Inc. (US)  
1645 North Brian Street  
Orange, CA 92867

Transcend Information Inc.

(Shanghai Factory)  
4F, Kaixuan City Industrial Park  
No. 1010, Kaixuan Road  
Shanghai, China 200052

(c) The Commission investigative attorney, party to this investigation, is Stephen R. Smith, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(3) For the investigation so instituted, the Honorable Paul J. Luckern, Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.13. Pursuant to 19 C.F.R. §§ 201.16(d)-(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

/s/  
Marilyn R. Abbott  
Secretary to the Commission

Issued: September 7, 2010