

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

In the Matter of

**CERTAIN MICROPROCESSORS,
COMPONENTS THEREOF, AND
PRODUCTS CONTAINING SAME**

Inv. No. 337-TA-781

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TO AMEND THE COMPLAINT AND NOTICE OF
INVESTIGATION AND TO TERMINATE RESPONDENTS INTEL (PHILIPPINES)
AND INTEL PRODUCTS (SHANGHAI) LTD.**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to not to review an initial determination (“ID”) (Order No. 13) to amend the complaint and notice of investigation and to terminate respondents Intel (Philippines) and Intel Products (Shanghai) Ltd.

FOR FURTHER INFORMATION: Clark S. Cheney, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-2661. 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 (<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 July 7, 2011, based on a complaint filed by X2Y Attenuators, LLC of Erie, Pennsylvania (“X2Y”). 76 *Fed. Reg.* 39895 (July 7, 2011). The complaint alleged violations 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 microprocessors, components thereof, and products containing same by reason of infringement of various claims of U.S. Patent Nos. 6,738,249 (“the ’249 patent”); 7,110,227 (“the ’227 patent”); 7,609,500; 7,733,621; and 7,916,444 (“the ’444 patent”). The complaint named as respondents Intel Corporation and various international Intel entities (collectively, (“Intel”), Apple Inc. (“Apple”), and Hewlett Packard Company (“HP”).

On September 22, 2011, X2Y filed a motion to amend the complaint and notice of investigation to (1) assert newly issued U.S. Patent No. 8,023,241 (“the ’241 patent”); (2) assert claim 40 of the ’444 patent; (3) add certificates of correction for the ’249, ’227, and ’444 patents; (4) add Intel Americas, Inc. as a respondent; and (5) correct the name of respondent Intel Malaysia Sdn. Bhd. to Intel Technology Sdn. Bhd. Additionally, X2Y moved to terminate respondents Intel (Philippines) and Intel Products (Shanghai) Ltd. On September 23, 2011, respondents Intel, Apple, and HP filed a response to the motion stating that the respondents have no objection to the addition of the ’241 patent and claim 40 of the ’444 patent so long as the hearing date in the investigation is extended. The Commission investigative attorney (“IA”) indicated that extending the hearing date would be reasonable.

On October 14, 2011, the presiding administrative law judge issued the subject ID (Order No. 13) granting X2Y’s motion. No petitions for review of the 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 part 210 of the Commission’s Rules of Practice and Procedure (19 C.F.R. part 210).

By order of the Commission.

/s/
James R. Holbein
Secretary to the Commission

Issued: November 14, 2011