

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

In the Matter of)
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CERTAIN PERSONAL COMPUTERS,)
SERVER COMPUTERS, AND COMPONENTS)
THEREOF)

Inv. No. 337-TA-509

**NOTICE OF DECISION NOT TO REVIEW AN INITIAL DETERMINATION
GRANTING COMPLAINANT'S MOTION TO TERMINATE THE INVESTIGATION
IN PART**

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") issued by the presiding administrative law judge ("ALJ") on January 24, 2005, granting complainant's motion to terminate the above-captioned investigation as to U.S. Patent No. 5,727,213.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3115. Copies of the public version of the IDs and 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, S.W., Washington, D.C. 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. 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>.

SUPPLEMENTARY INFORMATION: On June 7, 2004, the Commission instituted an investigation under section 337 of the Tariff Act of 1930, 19 U.S.C. §1337, based on a complaint filed by Hewlett-Packard Development Company, L.P. of Houston, Texas, and Hewlett-Packard Company of Palo Alto, California (collectively, Hewlett-Packard) alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain personal computers, server computers, and components thereof by reason of infringement of claims 1, 2, 9, 10, 16-18, and 24 of U.S. Patent No. 5,185,691; claims 1, 2, 7, 8, 10, 11, 14, 18, and 22 of U.S. Patent No. 5,258,888; claim 1 of U.S. Patent No. 5,727,213 (the '213 patent); claims 1, 6-8, and 30-32 of U.S. Patent No. 6,085,318; claim 1 of U.S. Patent No. 5,737,604; claims 1, 2, 3, 5 and 8-10 of U.S. Patent No. 5,892,976; and claims 1, 3, 4, 6-8, 18,

20, 21, 23-25, 35, 37, 38, and 40-42 of U.S. Patent No. 6,138,184. 69 *Fed. Reg.* 31844 (June 7, 2004). The complainant named Gateway, Inc. of Poway, California, as respondent.

On January 21, 2005, complainant Hewlett-Packard moved to terminate the investigation as to the '213 patent. No party opposed the motion. On January 24, 2005, the presiding ALJ issued an ID granting complainant's motion. No party petitioned for review of the ALJ's 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.

Marilyn R. Abbott
Secretary to the Commission

Issued: February 15, 2005