

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

In the Matter of

**CERTAIN DIGITAL IMAGING DEVICES AND
RELATED SOFTWARE**

Investigation No. 337-TA-717

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING 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”) (Order No. 19) issued by the presiding administrative law judge (ALJ) granting Complainant’s motion for partial termination of the above-captioned investigation.

FOR FURTHER INFORMATION CONTACT: Paul M. Bartkowski, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-5432. 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 May 19, 2010, under section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, based on a complaint filed by Apple, Inc. (“Apple”) of Cupertino, California, alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain digital imaging devices and related software by reason of infringement of certain claims of U.S. Patent Nos. 6,031,964 and RE38,911. The complaint named Eastman Kodak Co. (“Kodak”) of Rochester, New York as respondent.

On December 8, 2010, Apple filed a motion seeking to withdraw its allegations of infringement of claims 2 and 6 of the ‘964 patent and claims 16-22, 31-32, and 39 of the ‘911 patent. On December 9, 2010, the ALJ issued the subject ID, granting the motion. No party filed a petition for review of the subject 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/
Marilyn R. Abbott
Secretary to the Commission

Issued: December 29, 2010