

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

In the Matter of

**CERTAIN UNIVERSAL SERIAL BUS
("USB") PORTABLE STORAGE
DEVICES, INCLUDING USB FLASH
DRIVES AND COMPONENTS
THEREOF**

Investigation No. 337-TA-788

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN
INITIAL DETERMINATION TERMINATING THE INVESTIGATION AS TO
RESPONDENT PATRIOT MEMORY LLC BASED ON A SETTLEMENT
AGREEMENT**

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. 13) of the presiding administrative law judge ("ALJ") terminating the investigation as to respondent Patriot Memory LLC based on a settlement agreement.

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) 205-3106. 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: The Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on July 19, 2011, based on a complaint filed on behalf of Trek 2000 International Ltd. of Loyang Industrial Estate, Singapore; Trek Technology (Singapore) Pte. Ltd. of Genting Centre, Singapore; and S-Corn

System (S) Pte. Ltd. of Genting Centre, Singapore (collectively, “Trek”), alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain universal serial bus (“USB”) portable storage devices, including USB flash drives and components thereof that infringe certain claims of U.S. Patent Nos. 6,880,054; 7,039,759; D463,426; and 7,549,161. 76 *Fed. Reg.* 42730 (July 19, 2011). The notice of investigation named as respondents Imation Corporation of Oakdale, Minnesota; IronKey, Inc. of Sunnyvale, California; Kingston Technology Company, Inc. of Fountain Valley, California; Patriot Memory, LLC of Fremont, California (“Patriot”); RITEK Corporation of Hsinchu, Taiwan and Advanced Media, Inc./RITEK USA of Diamond Bar, California (collectively, “RITEK”); and Verbatim Corporation, Inc. of Charlotte, North Carolina and Verbatim Americas, LLC of Charlotte, North Carolina (collectively, “Verbatim”). Subsequently, respondents RITEK and Verbatim were terminated from the investigation.

On February 1, 2012, complainants Trek and respondent Patriot jointly moved to terminate the investigation based on entry of a settlement agreement. The Commission investigative attorney filed a response in support of the motion stating that the remaining respondents do not oppose the motion.

On February 7, 2012, the ALJ issued an ID (Order No. 13) granting the motion. No party petitioned for review. 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 section 210.42(h) of the Commission’s Rules of Practice and Procedure, 19 C.F.R. § 210.42(h).

By order of the Commission.

/s/
James R. Holbein
Secretary to the Commission

Issued: March 2, 2012