

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

**In the Matter of**

**CERTAIN ELECTRONIC DEVICES WITH  
MULTI-TOUCH ENABLED TOUCHPADS  
AND TOUCHSCREENS**

**Investigation No. 337-TA-714**

**NOTICE OF COMMISSION DECISION NOT TO REVIEW THE ADMINISTRATIVE  
LAW JUDGE'S INITIAL DETERMINATION GRANTING COMPLAINANT'S  
MOTION TO TERMINATE THE INVESTIGATION AS TO CLAIM 26 OF U.S.  
PATENT NO. 5,825,353**

**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 the presiding administrative law judge's initial determination ("ID") (Order No. 13) granting complainant's motion to terminate the above-captioned investigation as to claim 26 of U.S. Patent No. 5,825,353 ("the '353 patent").

**FOR FURTHER INFORMATION CONTACT:** Daniel E. Valencia, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-1999. 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 on April 29, 2010, based on a complaint filed by Elan Microelectronics Corporation of Taiwan ("Elan"), alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain electronic devices with multi-touch enabled touchpads and touchscreens by reason of infringement of certain claims of the '353 patent. *75 Fed. Reg.* 22625. The complaint named Apple, Inc. of Cupertino, California ("Apple") as the only respondent.

On August 17, 2010, complainant Elan moved to terminate the investigation as to claim 26 of the '353 patent. Neither the Commission Investigative Attorney nor Apple opposed Elan's motion.

On August 20, 2010, the presiding administrative law judge issued the subject ID granting Elan's motion to terminate claim 26 of the '353 patent from the above-captioned investigation. 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 section 210.42 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.42).

By order of the Commission.

/s/

Marilyn R. Abbott  
Secretary to the Commission

Issued: September 13, 2010