

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

In the Matter of

**CERTAIN SHORT-WAVELENGTH
LIGHT EMITTING DIODES, LASER
DIODES AND PRODUCTS
CONTAINING SAME**

Inv. No. 337-TA-640

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW INITIAL
DETERMINATIONS TERMINATING THE INVESTIGATION AS TO RESPONDENTS
AVAGO TECHNOLOGIES AND NOKIA CORPORATION**

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 initial determinations (“IDs”) (Order No. 54 and Order No. 55) of the presiding administrative law judge (“ALJ”) terminating the investigation as to respondents Avago Technologies and Nokia Corporation, respectively.

FOR FURTHER INFORMATION: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3152. Copies of the ID and all other 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 March 25, 2008, 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 Gertrude Neumark Rothschild of Hartsdale, New York (“Rothschild”), alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain short-wavelength light emitting diodes, laser diodes and products containing same that infringe certain claims of U.S. Patent No. 5,252,499. *73 Fed. Reg.* 1575 (March 25, 2008). The complainant named numerous entities as respondents.

On December 23, 2008, complainant Rothschild and respondent Nokia Corporation (“Nokia”) jointly moved to terminate the investigation as to Nokia based on a settlement agreement pursuant to Commission rule 210.21(a)(2) and 210.21(b)(1). On January 12, 2009, Rothschild and respondent Avago Technologies (“Avago”) filed a joint motion to terminate the investigation as to Avago based on a settlement agreement pursuant to Commission rules 210.21(a)(2) and 210.21(b)(1).

On February 2, 2009, the ALJ issued Order No. 54, granting the joint motion for termination as to Avago. On February 3, 2009, the ALJ issued Order No. 55, granting the joint motion for termination as to Nokia. No petitions for review of either ID were filed.

The Commission has determined not to review the subject IDs.

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/
Marilyn R. Abbott
Secretary to the Commission

Issued: February 24, 2009