

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

In the Matter of

**CERTAIN ELECTRONICS DEVICES
WITH IMAGE PROCESSING SYSTEMS,
COMPONENTS THEREOF, AND
ASSOCIATED SOFTWARE**

Investigation No. 337-TA-724

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANT'S MOTION FOR SUMMARY
DETERMINATION THAT IT SATISFIES THE ECONOMIC PRONG OF THE
DOMESTIC INDUSTRY REQUIREMENT**

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. 29) issued by the presiding administrative law judge ("ALJ") granting complainant's motion for summary determination that it satisfies the economic prong of the domestic industry requirement.

FOR FURTHER INFORMATION CONTACT: Jia Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-4737. 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 July 25, 2010, based on a complaint filed by S3 Graphics Co., Ltd. of Caymen Islands, British West Indies and S3 Graphics, Inc. of Fremont, California (collectively, "S3G"). 75 Fed. Reg. 38118 (Jul. 25, 2010). The complaint alleged violations of section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain electronic devices with image processing systems, components thereof, and associated software by reason of infringement of various

claims of United States Patent Nos. 7,043,087; 6,775,417; 6,683,978; and 6,658,146. The complaint named Apple Inc. of Cupertino, California (“Apple”) as respondent.

On January 20, 2011, S3G filed a motion for summary determination that it met the economic prong of the domestic industry requirement based on substantial investment in the United States in activities that exploit the asserted patents, including engineering, research and development, and support and repair of graphic processors that practice the asserted patents, and licensing pursuant to 19 U.S.C. § 1337(a)(3)(C). On January 31, 2011, Apple opposed the motion. That same day, the Commission investigative attorney (“IA”) also opposed the motion.

On March 11, 2011, the ALJ issued the subject ID, granting S3G’s motion for summary determination. On March 18, 2011, Apple filed a petition for review of the ID. S3G filed an opposition to Apple’s petition on March 25, 2011. The IA did not file a response.

The Commission has determined not to review 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 210.42-45 of the Commission’s Rules of Practice and Procedure (19 C.F.R. Part 210.42-45).

By order of the Commission.

James R. Holbein
Acting Secretary to the Commission

Issued: April 12, 2011