

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN HANDHELD ELECTRONIC
COMPUTING DEVICES, RELATED
SOFTWARE, AND COMPONENTS
THEREOF**

Investigation No. 337-TA-769

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN
INITIAL DETERMINATION TERMINATING THE INVESTIGATION AS TO
CERTAIN ASSERTED CLAIMS**

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. 31) of the presiding administrative law judge (“ALJ”) terminating the above-captioned investigation as to claims 1-6, 9-14, 17-26, and 29-42 of U.S. Patent No. 6,339,780 (“the ’780 patent”); claims 7, 9, and 11 of U.S. Patent No. 6,891,551 (“the ’551 patent”); claim 21 of U.S. Patent No. 6,957,233 (“the ’233 patent”); claims 1 and 2 of U.S. Patent 5,889,522 (“the ’522 patent”); and claim 1 of U.S. Patent No. 5,778,372 (“the ’372 patent”), based on withdrawal of these asserted claims.

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2310. 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 25, 2011, based on a complaint filed by Microsoft Corporation of Redmond, Washington. 76 *Fed. Reg.* 22918. The complaint, as amended, alleges a violation of section 337 of the Tariff Act of 1930, as amended, 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 handheld electronic computing devices, related software, and components thereof by reason of infringement of

certain claims of the '372, '522, '780, '551, and '233 patents. The complaint further alleges the existence of a domestic industry. The Commission's notice of investigation named several respondents.

On January 10, 2012, complainant moved to terminate the investigation as to claims 1-6, 9-14, 17-26, and 29-42 of the '780 patent; claims 7, 9, and 11 of the '551 patent; claim 21 of the '233 patent; claims 1 and 2 of the '522 patent; and claim 1 of the '372 patent, based on withdrawal of these asserted claims. No party opposed the motion.

The ALJ issued the subject ID on January 26, 2012, granting the motion for partial termination. No party petitioned for review of the ID. 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 sections 210.21 and 210.42(h) of the Commission's Rules of Practice and Procedure, 19 C.F.R. §§ 210.21, 210.42(h).

By order of the Commission.

A handwritten signature in black ink, appearing to read "J R Holbein", written in a cursive style.

James R. Holbein
Secretary to the Commission

Issued: February 14, 2012