

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

In the Matter of

**CERTAIN DIGITAL PHOTO FRAMES
AND IMAGE DISPLAY DEVICES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-807

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN
INITIAL DETERMINATION PARTIALLY TERMINATING THE INVESTIGATION AS
TO RESPONDENT PANDIGITAL, INC. BASED ON A CONSENT ORDER; ISSUANCE
OF CONSENT ORDER**

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) of the presiding administrative law judge ("ALJ") partially terminating the above-captioned investigation as to respondent Pandigital, Inc. ("Pandigital") of Dublin, California based on a consent order.

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 September 27, 2011, based on a complaint filed by Technology Properties Limited, LLC of Cupertino, California. 76 *Fed. Reg.* 59737-38. The complaint 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 digital photo frames and image display devices and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 6,976,623 ("the '623 patent"); 7,162,549; 7,295,443; and

7,522,424. The complaint further alleges the existence of a domestic industry. The Commission's notice of investigation named twenty respondents including Pandigital.

On April 16, 2012, Pandigital moved to terminate the investigation as to itself with respect to the '623 patent based on a consent order. No responses were filed.

The ALJ issued the subject ID on April 24, 2012, granting Pandigital's motion for partial termination. He found that the motion for termination by consent order satisfied Commission rule 210.21(c)(3). He further found, pursuant to Commission rule 210.50(b)(2), that partial termination of this investigation as to Pandigital by consent order is in the public interest. No party petitioned for review of 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.

/s/
Lisa R. Barton
Acting Secretary to the Commission

Issued: May 24, 2012