

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

In the Matter of)
)
CERTAIN OPTICAL DISK CONTROLLER CHIPS)
AND CHIPSETS AND PRODUCTS CONTAINING) **Inv. No. 337-TA-506**
SAME, INCLUDING DVD PLAYERS AND PC OPTICAL)
STORAGE DEVICES)
)

NOTICE OF COMMISSION DECISION NOT TO REVIEW
AN INITIAL DETERMINATION TERMINATING THE INVESTIGATION AS TO
TWO RESPONDENTS ON THE BASIS OF A CONSENT ORDER AND SETTLEMENT
AGREEMENT; 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 the presiding administrative law judge's ("ALJ's") initial determination ("ID") terminating the above-captioned investigation as to two respondents on the basis of a consent order and settlement agreement.

FOR FURTHER INFORMATION CONTACT: Clara Kuehn, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3012. Copies of the ALJ's 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. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation maybe viewed on the Commission's electronic docket (EDIS-ON-LINE) 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 14, 2004, based on a complaint filed on behalf of Zoran Corporation and Oak Technology, Inc. both of Sunnyvale, CA (collectively "complainants)." 69 Fed. Reg. 19876. The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain optical disk, controller chips and

chipsets and products containing same, including DVD players and PC optical storage devices, by reason of infringement of claims 1-12 of U.S. Patent No. 6,466,736, claims 1-3 of U.S. Patent No. 6,584,527, and claims 1-35 of U.S. Patent No. 6,546,440. The notice of investigation identified 12 respondents, including Creative Technology, Ltd., of Singapore, Republic of Singapore, and Creative Labs, Inc. of Milpitas, CA (collectively, "Creative").

On May 7, 2004, complainants and Creative filed a joint motion to terminate the investigation as to Creative on the basis of a settlement agreement and consent order. Copies of a consent order stipulation, proposed consent order, and settlement agreement were attached to the joint motion. On May 17, 2004, the Commission investigative attorney filed a response supporting the joint motion. On June 3, 2004, complainants filed an executed amendment to the settlement agreement. On June 7, 2004, the ALI issued an ID (ALJ Order No. 5) granting the joint motion. In his ID, the ALI accepted the amendment to the settlement [agreement. ID](#) at 2 n.2. No petitions for review of the ID were filed.

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.

Marilyn R. Abbott
Secretary to the Commission

Issued: July 7, 2004