

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

In the Matter of

**CERTAIN MICROLITHOGRAPHIC
MACHINES AND COMPONENTS
THEREOF**

Inv. No. 337-TA-468

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING A MOTION TO AMEND THE COMPLAINT AND
NOTICE OF INVESTIGATION**

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") granting complainants' unopposed motion to amend the complaint and notice of investigation in the above-captioned investigation.

FOR FURTHER INFORMATION CONTACT: Timothy P. Monaghan, 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-ON-LINE) at <http://dockets.usitc.gov/eol/public>.

SUPPLEMENTARY INFORMATION: The Commission instituted this patent-based section 337 investigation on January 24, 2002, based on a complaint filed by the Nikon Corporation of Tokyo, Japan, and Nikon Precision Inc. and Nikon Research Corporation of America of Belmont, California (collectively "Nikon"). The respondents named in the investigation are ASM Lithography Holding N.V. and ASM Lithography B.V. of the Netherlands and ASM Lithography of Tempe, Arizona (collectively, "ASM"). The complaint alleges that ASM has violated section 337 of the Tariff Act of 1930 by importing into the United States, selling for importation, and/or selling within the United States after importation certain microlithographic machines and components thereof by reason of infringement of certain claims of U.S. Letters Patents Nos. 5,638,211, 6,233,041, 5,473,410, 6,271,640, 6,008,500, 6,255,796, and 6,323,935.

On May 16, 2002, complainant Nikon moved pursuant to rule 210.14(b) to amend the complaint and notice of investigation to include certain corrections and additions to confidential Exhibit 16 concerning foreign counterpart patents and patent applications, and to amend the complaint and notice of investigation to reflect the fact that respondent ASM Lithography B.V. has changed its name to ASML Netherlands B.V. There was no opposition to the motion.

On June 14, 2002, the ALJ issued an ID (Order No. 10) granting complainants' unopposed motion to amend the complaint and notice of investigation. No petitions for review of the ID were filed.

The authority for the Commission's action 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: June 26, 2002