

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

In the Matter of

**CERTAIN PRODUCTS CONTAINING
INTERACTIVE PROGRAM GUIDES AND
PARENTAL CONTROLS TECHNOLOGY**

Investigation No. 337-TA-747

**NOTICE OF COMMISSION DECISION NOT TO REVIEW
THE ADMINISTRATIVE LAW JUDGE'S INITIAL DETERMINATION
EXTENDING THE TARGET DATE BY FOUR-AND-A-HALF MONTHS**

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") initial determination ("ID") (Order No. 9) extending the target date by four-and-a-half months.

FOR FURTHER INFORMATION CONTACT: Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2532. 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 November 24, 2010, based on a complaint filed by Rovi Corp. (f/k/a Macrovision Solutions Corp.) of Santa Clara, Cal.; its wholly whole subsidiary Rovi Guides, Inc. (f/k/a Gemstar-TV Guide International, Inc.) ("Rovi Guides") of Santa Clara, Cal.; and Rovi Guides's wholly owned subsidiaries United Video Properties of Santa Clara, Cal., and Index Systems, Inc., of the British Virgin Islands. *75 Fed. Reg. 71737* (Nov. 24, 2010). The complaint named as respondents Toshiba Corp. of Japan and its subsidiaries Toshiba America, Inc. of New York, N.Y.; Toshiba America Consumer Products, LLC of Wayne, N.J.; and Toshiba America Information Systems, Inc. of Irvine, Cal. (collectively "Toshiba"). The complaint alleged a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain products containing interactive program guide and parental controls

technology by reason of the infringement of certain claims of U.S. Patent Nos. 6,305,016; 6,020,929; and 6,701,523.

On April 1, 2011, Toshiba filed an unopposed motion to extend the target date by two months – from sixteen months to eighteen months, *i.e.*, from March 26, 2012 to May 24, 2012 – in light of difficulties caused by the March 11, 2011 earthquake and tsunami in Japan.

On April 4, 2011, the ALJ issued Order No. 9, an ID that extends the target date by four-and-a-half months, *i.e.*, from March 26, 2012 to August 12, 2012. The extension granted exceeded the extension requested due to the ALJ’s scheduling conflicts and the unavailability of hearing space on appropriate dates.

No petitions for review of the ID were filed. 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 section 210.42 and 210.51 of the Commission’s Rules of Practice and Procedure (19 C.F.R. §§ 210.42, 210.51).

By order of the Commission.

/s/
William R. Bishop
Acting Secretary to the Commission

Issued: April 26, 2011

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