

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

**In the Matter of**

**CERTAIN MOTION-SENSITIVE SOUND  
EFFECT DEVICES AND IMAGE  
DISPLAY DEVICES AND COMPONENTS  
AND PRODUCTS CONTAINING SAME**

**Investigation No. 337-TA-773**

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL  
DETERMINATION GRANTING A JOINT MOTION TO TERMINATE THE  
INVESTIGATION AS TO VIVITEK CORPORATION PURSUANT TO  
COMMISSION RULE 210.21**

**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. 11) granting a joint motion to terminate the above-captioned investigation as to respondent Vivitek Corporation (“Vivitek”) pursuant to Commission rule 210.21, 19 C.F.R. § 210.21.

**FOR FURTHER INFORMATION CONTACT:** Daniel E. Valencia, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-1999. 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 May 19, 2011, based on a complaint filed by Ogma, LLC (“Ogma”). 76 *Fed. Reg.* 29006. The complaint alleges violations of section 337 of the Tariff Act of 1930 (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 motion-sensitive sound effects

devices and image display devices and components and products containing same by reason of infringement of two United States Patents. The original complaint named numerous respondents, including Vivitek.

On June 22, 2011, Ogma and Vivitek filed a joint motion to terminate the investigation with respect to Vivitek under Commission rule 210.21(a)(2). On June 28, 2011, the Commission investigative attorney filed a response supporting the motion.

On July 6, 2011, the ALJ issued the subject ID (Order No. 11) granting the joint motion to terminate the investigation as to Vivitek. 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 Part 210 of the Commission's Rules of Practice and Procedure (19 C.F.R. Part 210).

By order of the Commission.

/s/  
James R. Holbein  
Secretary to the Commission

Issued: July 26, 2011