

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-661]

### Certain Semiconductor Chips Having Synchronous Dynamic Random Access Memory Controllers and Products Containing Same; Determination Rescinding the Exclusion Order and Cease and Desist Orders

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to rescind the exclusion order and cease and desist orders issued in the above-captioned investigation.

**FOR FURTHER INFORMATION CONTACT:** Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 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 SW., Washington, DC 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 December 10, 2008, based on a complaint filed by Rambus Inc. of Los Altos, California ("Rambus"), alleging a violation of section 337 in the infringement of certain patents. 73 FR 75131. The principal respondent was NVIDIA Corporation of Santa Clara, California ("NVIDIA"). Joining NVIDIA as respondents were approximately twenty of NVIDIA's customers. The Commission found a violation of section 337 by reason of the infringement of some of the asserted patents, and on July 26, 2010, the Commission issued a limited exclusion order. 75 FR 44989-90 (July 30, 2010). The Commission also issued cease and desist orders against those respondents who maintained significant inventory of the accused

products in the United States: NVIDIA; Hewlett-Packard Co. of Palo Alto, California; ASUS Computer International, Inc. of Peitou Taipei, Taiwan; Palit Multimedia Inc. of Ontario, Canada; Palit Microsystems Ltd. of Taipei, Taiwan; MSI Computer Corp. of City of Industry, California; Micro-Star International of Taipei, Taiwan; EVGA Corp. of Brea, California; DiabloTek, Inc. of Alhambra, California; Biostar Microtech Corp. of City of Industry, California; and BFG Technologies, Inc. of Lake Forest, Illinois. *Id.* The parties appealed the Commission determination to the U.S. Court of Appeals for the Federal Circuit.

Rambus and NVIDIA have since settled their patent dispute, and on February 10, 2012, jointly moved to rescind the Commission's remedial orders on the basis of settlement. No oppositions were filed. In addition, on April 3, 2012, the court of appeals dismissed the last-remaining appeal of the Commission determination, in an order that remanded the appeal "to the ITC with instructions to vacate the exclusion orders at issue in this appeal." Order at 3.

The Commission has determined to rescind the exclusion order and cease and desist orders.

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 210.76 of the Commission's Rules of Practice and Procedure (19 CFR 210.76).

By order of the Commission.

Issued: May 1, 2012.

**James R. Holbein,**  
*Secretary to the Commission.*

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**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Settlement Agreement Under the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that on April 30, 2012, a proposed Consent Decree and Settlement Agreement (the "Lower Ley Creek Non-Owned Site Settlement Agreement") in the bankruptcy matter, *In re Motors Liquidation Corp., et al., f/k/a General Motors Corp., et al.*, Jointly Administered Case No. 09-50026 (REG), was lodged with the United States Bankruptcy Court for the Southern District of New York. The Parties to the Lower Ley Creek Non-Owned Site Settlement Agreement are the Motors

Liquidation General Unsecured Creditors Trust ("Old GM"), the State of New York, and the United States of America. The Lower Ley Creek Non-Owned Site Settlement Agreement resolves claims and causes of action of the Environmental Protection Agency ("EPA") against Old GM under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9601-9675, with respect to the portion of Ley Creek that is downstream from the Route 11 Bridge at the Onondaga Lake Superfund Site in New York.

Under the Lower Ley Creek Non-Owned Site Settlement Agreement, EPA will receive an allowed general unsecured claim of \$38,344,177, and the State of New York will receive an allowed general unsecured claim of \$859,257.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the Lower Ley Creek Non-Owned Site Settlement Agreement. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either emailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *In re Motors Liquidation Corp., et al.*, D.J. Ref. 90-11-3-09754.

The Non-Owned Site Settlement Agreement may be examined at the Office of the United States Attorney, 86 Chambers Street, 3rd Floor, New York, New York 10007, and at the U.S. Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue NW., Washington, DC 20460. During the public comment period, the Lower Ley Creek Non-Owned Site Settlement Agreement may also be examined on the following Department of Justice Web site, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). Copies of the Lower Ley Creek Non-Owned Site Settlement Agreement may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or emailing a request to "Consent Decree Copy" ([EESCDCopy.ENRD@usdoj.gov](mailto:EESCDCopy.ENRD@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-5271. If requesting a copy from the Consent Decree Library by mail, please enclose a check in the amount of \$5.50 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by email or fax, please forward a check in that amount to the