

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN MACHINE VISION SOFTWARE,
MACHINE VISION SYSTEMS, AND
PRODUCTS CONTAINING SAME**

Inv. No. 337-TA-680

Notice

On this date, an Initial Determination issued finding no violation of section 337 (19 U.S.C. § 1337), with the following conclusions of law:

1. The Commission has subject matter, personal, and *in rem* jurisdiction in this investigation.
2. The importation requirement is satisfied as to all respondents.
3. It has not been shown by a preponderance of the evidence that any accused product practices any asserted claim of United States Patent No. 7,016,539 (“the ‘539 patent”).
4. It has not been shown by a preponderance of the evidence that any accused product practices any asserted claim of United States Patent No. 7,065,262 (“the ‘262 patent”).
5. It has not been shown by clear and convincing evidence that any claim of the ‘539 patent is invalid due to anticipation or obviousness.
6. It has been shown by clear and convincing evidence that claims 1, 12, 13, 28, and 29 of the ‘262 patent are invalid as anticipated by Wells (RX-22). It has not been shown by clear and convincing evidence that any claim of the ‘262 patent is invalid due to obviousness, on sale bar, or failure to disclose the best mode.

7. The asserted claims of the '539 patent and the '262 patent are invalid, pursuant to 35 U.S.C. § 101, for failure to claim patent-eligible subject matter.

8. The domestic industry requirement is satisfied with respect to the '539 patent and the '262 patent.



Carl C. Charneski
Carl C. Charneski
Administrative Law Judge

Issued: July 16, 2010

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PUBLIC CERTIFICATE OF SERVICE

I, Marilyn R. Abbott, hereby certify that the attached **NOTICE** has been served by hand upon the Commission Investigative Attorney, Kevin Baer, Esq., and the following parties as indicated, on JUL 16 2010.



Marilyn R. Abbott, Secretary *JR*
U.S. International Trade Commission
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Washington, D.C. 20436

FOR COMPLAINANT COGNEX CORP.:

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**FOR RESPONDENTS: VISICS CORP.,
MVTEC SOFTWARE GmbH , MVTEC
LLC AND DAIICHI JITSUGYO
VISWILL CO., Ltd., DAIICHI
JITSUGYO (AMERICA), INC. AND
RESOLUTION TECHNOLOGY, INC.,
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