

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN MAGNETIC DATA
STORAGE TAPES AND CARTRIDGES
CONTAINING THE SAME**

Inv. No. 337-TA-1012

Order No. 3

By publication of a notice in the *Federal Register* on July 1, 2016, pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, the Commission instituted this investigation to determine:

[W]hether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain magnetic data storage tapes and cartridges containing the same by reason of infringement of one or more of claims 1, 4-9, 11, and 14 of the '891 patent [U.S. Patent No. 6,641,891]; claims 2, 5, and 6 of the '106 patent [U.S. Patent No. 6,703,106]; claim 1 of the '101 patent [U.S. Patent No. 6,703,101]; claims 1, 2, 4, 5, and 7-11 of the '612 patent [U.S. Patent No. 6,767,612]; claim 1 of the '434 patent [U.S. Patent No. 8,236,434]; and claims 3 and 10 of the '805 patent [U.S. Patent No. 7,355,805], and whether an industry in the United States exists as required by subsection (a)(2) of section 337.

81 Fed. Reg. 43243 (July 1, 2016).

Additionally, pursuant to Commission Rule 210.50(b)(1), the Commission ordered:

Pursuant to Commission Rule 210.50(b)(1), 19 C.F.R. § 210.50(b)(1), the presiding administrative law judge shall take evidence or other information and hear arguments from the parties and other interested persons with respect to the public interest in this investigation, as appropriate, and provide the Commission with findings of fact and a recommended determination on this issue, which shall be limited to the statutory public interest factors set forth in 19 U.S.C. §§ 1337(d)(1), (f)(1), (g)(1).

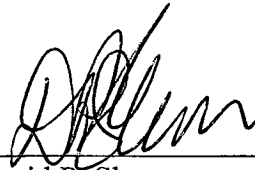
Id.

The complainants are FUJIFILM Corporation of Tokyo, Japan and FUJIFILM Recording Media U.S.A., Inc. of Bedford, Massachusetts. *Id.*

The named respondents are as follows: Sony Corporation of Tokyo, Japan; Sony Corporation of America of New York, New York; and Sony Electronics Inc. of San Diego, California. *Id.*

~~The Office of Unfair Import Investigations was also named as a party to this~~
investigation. *Id.*

The administrative law judge has determined that the target date for completion of this investigation is October 2, 2017, which is 15 months after institution of the investigation.¹ *See* 19 C.F.R. § 210.51(a). The initial determination on violation shall be due on June 2, 2017. *See* 19 C.F.R. § 210.42(a)(1)(i).



David P. Shaw
Administrative Law Judge

Issued: July 5, 2016

¹ October 1, 2017 falls on a Sunday. *See* 19 C.F.R. § 201.14(a).

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PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER NO. 3** has been served by hand upon the Commission Investigative Attorney, **Whitney Winston, Esq.**, and the following parties as indicated, on **JUL 05 2016**.



Lisa R. Barton, Secretary
U.S. International Trade Commission
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Washington, DC 20436

**FOR COMPLAINANTS FUJIFILM CORPORATION AND FUJIFILM RECORDING
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