

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN BIOMETRIC SCANNING
DEVICES, COMPONENTS THEREOF,
ASSOCIATED SOFTWARE, AND
PRODUCTS CONTAINING THE SAME**

Inv. No. 337-TA-720

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO CERTAIN
CLAIMS OF THE ASSERTED PATENTS**

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. 15) of the presiding administrative law judge ("ALJ") terminating the investigation as to certain claims of the asserted patents.

FOR FURTHER INFORMATION: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3152. Copies of the ID and all other nonconfidential 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. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<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>.

SUPPLEMENTARY INFORMATION: On June 17, 2010, the Commission instituted an investigation under section 337 of the Tariff Act of 1930, 19 U.S.C. §1337, based on a complaint filed by Cross Match Technologies, Inc. of Palm Beach Gardens, Florida (“Cross Match”) alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain biometric scanning devices, components thereof, associated software, and products containing the same by reason of infringement of certain claims of U.S. Patent Nos. 5,900,993 (“the ‘993 patent”); 6,483,932 (“the ‘932 patent”); 7,203,344 (“the ‘344 patent”); and 7,277,562 (“the ‘562 patent”). 75 *Fed. Reg.* 34482 (Jun. 17, 2010). Complainant Cross Match named Suprema, Inc. of Gyeonggi-Do, Korea and Mentalix, Inc. of Plano, Texas as respondents. Subsequently, the complaint was amended to add allegations of infringement by respondents of claims 5, 6, 12, and 30 of the ‘562 patent and claims 7, 15, 19, and 45 of the ‘344 patent.

On November 18, 2010, complainant Cross Match moved to terminate the investigation in part based on the withdrawal of (i) claims 6-8, 13-15, and 19-21 of the ‘932 patent; (ii) claims 13 and 16 of the ‘993 patent; (iii) claims 4, 15, 30, 32, and 44 of the ‘344 patent; and (iv) claim 2 of the ‘562 patent.

On December 1, 2010, the ALJ issued an ID (Order No. 15) granting complainant’s motion. No party petitioned for review of the subject ID. 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(h) of the Commission’s Rules of Practice and Procedure (19 C.F.R. § 210.42(h)).

By order of the Commission.



Marilyn R. Abbott
Secretary to the Commission

Issued: December 27, 2010

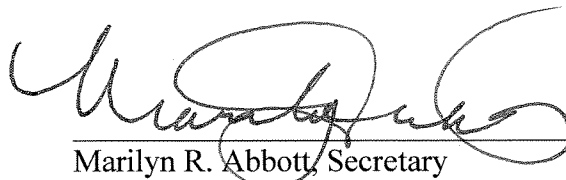
**CERTAIN BIOMETRIC SCANNING DEVICES,
COMPONENTS THEREOF, ASSOCIATED SOFTWARE, AND
PRODUCTS CONTAINING THE SAME**

337-TA-720

CERTIFICATE OF SERVICE

I, Marilyn R. Abbott, hereby certify that the attached **NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL DETERMINATION TERMINATING THE INVESTIGATION AS TO CERTAIN CLAIMS OF THE ASSERTED PATENTS** has been served by hand upon the Commission Investigative Attorney, David O. Lloyd, Esq., and the following parties as indicated, on

December 28, 2010.



Marilyn R. Abbott, Secretary
U.S. International Trade Commission
500 E Street, SW
Washington, DC 20436

**On Behalf of Complainant Cross Match Technologies,
Inc.:**

Maximilian A. Grant, Esq.
LATHAM & WATKINS LLP
555 11th Street, NW, Suite 1000
Washington, DC 20004

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____

**On Behalf of Respondents Suprema, Inc. and Mentalix,
Inc.:**

V. James Adduci, Esq.
ADDUCI, MASTRIANI & SCHAUMBERG, LLP
1200 17th Street, NW, 5th Floor
Washington, DC 20036

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____