

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

CERTAIN FLASH MEMORY AND
PRODUCTS CONTAINING SAME

Inv. No. 337-TA-685

**Order No. 16: INITIAL DETERMINATION Terminating The Investigation
As To Synology Inc. and Synology America Corporation On The Basis Of A
Consent Order**

By publication of a notice in the *Federal Register* on September 2, 2009, 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 flash memory or products containing same by reason of infringement of one or more of claims 1, 19, 31, and 35 of U.S. Patent No. 6,930,050 and claims 1-8, 11, and 12 of U.S. Patent No. 5,740,065, and whether an industry in the United States exists as required by subsection (a)(2) of section 337.

74 Fed. Reg. 45468 (2009).

The complainant is Samsung Electronics Co., Ltd. of Suwon City, Korea ("Samsung"). Numerous companies were named as respondents, including Synology Inc. of Taipei, Taiwan and Synology America Corporation of Redmond, Washington (collectively, "Synology"). The Commission Investigative Staff ("Staff") is also a party in the investigation. *Id.*

Pursuant to 19 C.F.R. § 210.21(c),¹ Samsung and Synology filed a joint motion to terminate the investigation as to Synology. (Motion No. 685-10). The Staff filed a response in support of the joint motion.

The proposed consent order attached to the joint motion provides in part that:

Upon entry of this Consent Order, Synology shall not sell for importation, import into the United States, or sell or offer for sale in the United States after importation, or knowingly aid, abet, encourage, participate in, or induce importation into the United States, the sale for importation into the United States, or the sale, offer for sale, or use in the United States after importation any accused Synology product or infringing Synology product until (a) the expiration, invalidation, and/or unenforceability of the Asserted Claims of the patents-in-suit, (b) Synology's products are found to be not infringing[,], or (c) Samsung licenses such Synology products to Synology.

Proposed Consent Order at 3 (attached hereto).

The consent order stipulation complies with the requirements of 19 C.F.R. § 210.21(c)(3)(i)(A)-(B).

The Commission's Rules provide that in the case of a proposed termination by settlement agreement, consent order, or arbitration agreement, the parties may file statements regarding the impact of the proposed termination on the public interest, and the Administrative Law Judge may hear argument, although no discovery may be compelled, with respect to issues relating solely to the public interest. The Administrative Law Judge is directed to consider and make appropriate findings regarding the effect of the proposed settlement on the public health and welfare, competitive conditions in the United States, and United States consumers. *See* 19 C.F.R.

¹ The Commission Rule relied upon addresses motions for termination of investigations in whole or in part, and provides that such motions may be granted by initial determination. 19 C.F.R. § 210.21(a)(i).

§ 210.50(b)(2).

Movants argue that termination of Synology on the terms proposed by the joint motion will conserve the time and resources of the Commission and the private parties. Jt. Mot. at 4. The Staff believes that terminating this investigation as to Synology based on the proposed consent order will not be contrary to the public interest. Staff at 5-6. Furthermore, termination of litigation under these circumstances as an alternative method of dispute resolution is generally in the public interest.

Accordingly, it is the INITIAL DETERMINATION of the undersigned that Motion No. 685-10 is granted. This investigation is terminated as to Synology Inc. and Synology America Corporation. Inasmuch as other respondents remain, this investigation is not terminated in its entirety.

Pursuant to 19 C.F.R. § 210.42(h), this initial determination shall become the determination of the Commission unless a party files a petition for review of the initial determination pursuant to 19 C.F.R. § 210.43(a), or the Commission, pursuant to 19 C.F.R. § 210.44, orders on its own motion a review of the initial determination or certain issues contained herein.



Carl C. Charneski
Administrative Law Judge


Issued: June 30, 2010

CERTAIN CERTAIN FLASH MEMORY AND PRODUCT CONTAINING SAME

INV. NO. 337-TA-685

PUBLIC CERTIFICATE OF SERVICE

I, Marilyn R. Abbott, hereby certify that the attached **ORDER NO. 16** has been served by hand upon the Commission Investigative Attorney, Juan S. Cockburn, Esq., and the following parties as indicated, on JUL 1 2010.


Marilyn R. Abbott, Secretary *JNB*
U.S. International Trade Commission
500 E Street, SW, Room 112A
Washington, D.C. 20436

**FOR COMPLAINANT SAMSUNG
ELECTRICS CO., LTD.:**

Christian Chadd Taylor, Esq.
KIRLAND & ELLIS LLP
555 California St.
27th Floor
San Francisco, CA 94104

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

**FOR RESPONDENTS SPANSION, INC.,
SPANSION LLC, D-LINK CORP.,
D-LINK SYSTEMS, INC., ALPINE
ELECTRONICS, INC. AND ALPINE
ELECTRONICS OF AMERICA, INC.:**

Joel M. Freed, Esq.
Stephen K. Shahida, Esq
MCDERMOTT WILL & EMERY LLP
600 13th St., N. W., 12th Floor
Washington, D.C. 20005

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

CERTAIN CERTAIN FLASH MEMORY AND PRODUCT CONTAINING SAME

INV. NO. 337-TA-685

**FOR RESPONDENTS SYNOLOGY INC.
AND SYNOLOGY NORTH AMERICA
CORP.:**

David J. Palmer, Esq.
PERKINS COIE BROWN & BAIN P.A.
2901 North Central Avenue, Suite 2000
Phoenix, Arizona 85012-2788

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

**FOR RESPONDENT APPRO
INTERNATIONAL, INC.:**

Jerry Riedinger, Esq.
PERKINS COIE LLP
1201 Third Ave., Suite 4800
Seattle, WA 98101

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

**FOR RESPONDENT SPANSION JAPAN
LIMITED:**

Kenneth B. Herman, Esq.
ROPES & GRAY LLP
1211 Avenue of the Americas
New York, NY 10036

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

RESPONDENTS

Slacker, Inc.
16935 W. Bernardo Dr. Suite 270
San Diego, CA 92127

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

Shenzhen Egreat Co., Ltd.
4/F, 1 Building
Sha San Chuang Ye Industrial Park
Sha Jing, Bao An Shenzhen, China

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

CERTAIN CERTAIN FLASH MEMORY AND PRODUCT CONTAINING SAME

INV. NO. 337-TA-685

EGreat USA
2242 Sir Francis Drake Blvd.
Fairfax, CA 94930

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

PUBLIC MAILING LIST

Heather Hall
LEXIS-NEXIS
9443 Springboro Pike
Miamisburg, OH 45342

Kenneth Clair
THOMSON WEST
1100 Thirteen Street, NW, Suite 200
Washington, D.C. 20005

UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C. 20436

Before the Honorable Carl C. Charneski
Administrative Law Judge

In the Matter of

Investigation No. 337-TA-685

CERTAIN FLASH MEMORY AND
PRODUCTS CONTAINING SAME

**COMPLAINANT SAMSUNG ELECTRONICS CO., LTD, AND RESPONDENTS
SYNOLOGY INC. AND SYNOLOGY AMERICA CORPORATION'S, JOINT
STIPULATED MOTION TO TERMINATE INVESTIGATION AS TO RESPONDENTS
SYNOLOGY INC. AND SYNOLOGY AMERICA CORPORATION, BASED ON
CONSENT ORDER STIPULATION AND PROPOSED CONSENT ORDER**

Complainant Samsung Electronics Co., Ltd. ("Samsung") and Respondents Synology Inc. and Synology America Corporation (collectively "Synology") hereby stipulate and jointly move to terminate this Investigation as to Synology and for the entry of the Proposed Consent Order, attached hereto as Exhibit A. 19 C.F.R. § 210.21(c)(1)(ii). Although Synology believes that it has not committed any unfair practices in import trade under 19 C.F.R. § 1337, Synology is nonetheless willing to agree to be bound by and to the issuance of the Proposed Consent Order. A substantially similar motion has been filed by Samsung and Respondent Appro International, Inc ("Appro"). This motion further takes into account the OUII Staff's comments with respect to the proposed motion to terminate between Samsung and Appro.

Samsung filed its Complaint before the United States International Trade Commission (the "Commission") on July 31, 2009, alleging unfair acts in the importation into, sale for importation into, and sale after importation into the United States of products made, sold, or offered for sale by Synology containing flash memory chips made, sold, or otherwise provided

by Respondents Spansion, Inc., Spansion LLC, or Spansion Japan Ltd. (collectively “Spansion”), which are alleged to infringe Claims 1, 19, 31, and 35 of U.S. Patent 6,930,050 (“the ’050 patent”) and Claims 1-8 and 11-12 of U.S. Patent 5,740,065 (“the ’065 patent”) (collectively, “the Asserted Claims of the patents-in-suit”).

The Commission instituted this Investigation under Section 337 of the Tariff Act of 1930 as amended (19 U.S.C. § 1337) as Investigation No. 337-TA-685, based upon the allegations contained in the Complaint filed by Samsung.

As set forth in the accompanying Consent Order Stipulation, pursuant to Commission Rule 210.21(c)(1)(ii) and (c)(3)(i), Synology stipulates and agrees as follows in connection with this motion:

- (1) Respondent Synology Inc. is a corporation organized under the laws of Taiwan with its principal place of business at 3F-3, No. 106, Chang-An W. Rd., Taipei, Taiwan 10351. Respondent Synology America Corporation is a corporation organized under the laws of the State of Washington with its principal place of business at 2899 152nd Ave NE, Redmond, WA, 98052.
- (2) Synology stipulates to the entry of a Consent Order in the form attached hereto as Exhibit A.
- (3) The Commission has *in rem* jurisdiction over Synology’s imported products that contain Spansion’s flash memory chips, which are the subject of the Complaint in this investigation, and the Commission has *in personam* jurisdiction over Synology for purposes of this Consent Order.
- (4) Synology agrees that upon entry of the Consent Order, it will not import into the United States, sell for importation, sell or offer for sale in the United States after importation, or knowingly aid, abet, encourage, participate in, or induce importation into the United States, the sale for importation into the United States, or the sale, offer for sale, or use in the United States after importation any accused Synology product or infringing Synology product until (1) the expiration, invalidation, and/or unenforceability of the Asserted Claims of the patents-in-suit, (2) Synology’s products are found to be not infringing; or (3) Samsung licenses such Synology products to Synology.

- (5) In determining whether Synology is in violation of this Consent Order, the Commission may infer facts adverse to Synology if Synology fails to provide adequate or timely information. The Commission may impose a “civil penalty for each day on which an importation of articles, or their sale, occurs in violation of the order of not more than the greater of \$100,000 or twice the domestic value of the articles entered or sold on such day in violation of the order.” 19 U.S.C. § 1337(f)(2).
- (6) Synology expressly waives all rights to seek judicial review or otherwise challenge or contest the validity of the Consent Order, subject to Section 10 below.
- (7) Synology will cooperate with and will not seek to impede by litigation or other means the Commission’s efforts to gather information under subpart I of the Commissions Rules of Practice and Procedure, 19 C.F.R. § 210.
- (8) Enforcement, modification, or revocation of the Consent Order will be carried out pursuant to subpart I of the Commission’s Rules of Practice and Procedure, 19 C.F.R. § 210.
- (9) The Consent Order shall not apply with respect to any claim of any intellectual property right that has expired or been found or adjudicated invalid or unenforceable by the Commission or a court or agency of competent jurisdiction, provided that such finding or judgment has become final and nonreviewable.
- (10) Synology will not seek to challenge the validity or enforceability of the Asserted Claims of the patents-in-suit in any administrative or judicial proceeding to enforce the Consent Order, but shall be entitled to do so in any other proceeding.
- (11) The signing of the Consent Order Stipulation does not constitute an admission by Synology that the patents-in-suit are valid, enforceable, or infringed by Synology.
- (12) The signing of the Consent Order Stipulation does not constitute an admission by Synology that an unfair act has been committed. This Consent Order does not affect any ability of Samsung to otherwise pursue legal claims regarding Synology’s products in any other forum or proceeding.
- (13) There are no agreements, written or oral, express or implied, between Synology and Complainant concerning the subject matter of this Investigation.

Also, in accordance with Commission Rule 210.50(b)(2), Samsung and Synology state that termination of this Investigation against Synology and entry of the Proposed Consent Order is in the public interest, which favors the settlement of disputes to avoid needless litigation and to

conserve public and private resources. *Certain Compact Disc and DVD Holders*, Inv. No. 337-TA-482, Order No. 11 at 3 (March 7, 2003); *Certain Gel-Filled Wrist Rests and Products Containing Same*, Inv. No. 337-TA-456, Order No. 16 at 5 (May 21, 2002); *Certain Enhanced DRAM Devices Containing Embedded Cache Memory Registers, Components Thereof, and Products Containing Same*, Inv. No. 337-TA-421, Order No. 8 at 4 (December 20, 1999).

Indeed, the Administrative Procedure Act indicates that agencies should consider termination of disputes by the involved parties where “the public interest permit[s].” 5 U.S.C. § 554(c)(1).

Here, entry of the proposed Stipulation and Consent Order will conserve the time and resources of both the Commission and the private parties, since it removes Synology from this Investigation. Furthermore, entry of the proposed Stipulation and Consent Order will not impose an undue burden on the public health and welfare, competitive conditions in the United States economy, production of like or directly competitive articles in the United States, or United States consumers. The Consent Order provides Samsung with all relief to which it may be entitled, so there is no longer any case or controversy before the Commission as between Samsung and Synology. Likewise, the Consent Order Stipulation fully satisfies all of Synology’s obligations under the Commission Rules.

Complainant, Samsung, joins in this motion to terminate the Investigation as to Synology. On May 10, 2010, counsel for Synology and counsel for Samsung discussed settlement of this action. Counsel for Synology indicated Synology’s willingness and desire to reach an agreement regarding a consent order stipulation. Synology’s counsel forwarded a draft consent order stipulation and proposed consent order to Complainant’s counsel. Counsel for Samsung and counsel for Synology have now agreed on a Proposed Consent Order.

Accordingly, Samsung and Synology respectfully request: (1) entry of the Proposed Consent Order attached as Exhibit A to the Consent Order Stipulation submitted herewith; and (2) issuance of an Initial Determination granting Synology's Motion for Termination of the Investigation as to Synology based on the entry of the Proposed Consent Order.

Stipulated to by on this the 22nd day of June, 2010.

/s/ Christian Chadd Taylor

Christian Chadd Taylor
Bao Nguyen
KIRKLAND & ELLIS LLP
555 California Street
San Francisco, CA 94104-1501
Telephone: (415) 439-1400
Facsimile: (415) 439-1500
SamsungSpansion685@kirkland.com

John M. Desmarais
Kirkland & Ellis LLP
Citigroup Center
153 East 53rd Street
New York, NY 10022-4611
(212) 466-4800

Edward C. Donovan
D. Sean Trainor
Sean M. McEldowney
Dennis J. Abdelnour
Kirkland & Ellis LLP
655 Fifteenth Street, N.W., Suite 1200
Washington, D.C. 20005-5793
(202) 879-5000

*Counsel for Complainants Samsung
Electronics Ltd.*

/s/ Jonathan M. James

Jonathan M. James
David J. Palmer
Perkins Coie Brown & Bain P.A.
2901 North Central Avenue, Suite 2000
Phoenix, Arizona 85012
Telephone: (602) 351-8000
Facsimile: (602) 648-7000

Terrence J. Wikberg
Perkins Coie Brown LLP
607 14th Street, N.W., Suite 800
Washington, DC 20005-2003
Telephone: (202) 628-6600
Facsimile: (202) 434-1690

Chun M. Ng
Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Telephone: 206.359.6488
Facsimile: 206.359.7488
Email: CNg@perkinscoie.com

*Counsel for Respondents, Synology Inc. and
Synology America Corporation.*

UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C. 20436

Before the Honorable Carl C. Charneski
Administrative Law Judge

In the Matter of

Investigation No. 337-TA-685

CERTAIN FLASH MEMORY AND
PRODUCTS CONTAINING SAME

CONSENT ORDER STIPULATION

WHEREAS, Complainant Samsung Electronics Co., Ltd. (“Samsung”) filed a Complaint before the United States International Trade Commission (the “Commission”) on July 31, 2009, alleging unfair acts in the importation into, sale for importation into, and sale after importation into the United States of products made, sold, or offered for sale by Synology Inc. and Synology America Corporation (collectively “Synology”) containing flash memory chips made, sold, or otherwise provided by Respondents Spansion, Inc., Spansion LLC, or Spansion Japan Ltd. (collectively “Spansion”), which are alleged to infringe Claims 1, 19, 31, and 35 of U.S. Patent 6,930,050 (“the ’050 patent”) and Claims 1-8 and 11-12 of U.S. Patent 5,740,065 (“the ’065 patent”) (collectively, “the Asserted Claims of the patents-in-suit”);

WHEREAS, the Commission instituted this Investigation under Section 337 of the Tariff Act of 1930 as amended (19 U.S.C. § 1337) as Investigation No. 337-TA-685, based upon the allegations contained in the Complaint filed by Complainant; and

WHEREAS, Synology agrees to the entry of a Consent Order by the Commission in the form attached hereto as Exhibit A;

NOW THEREFORE, pursuant to Commission Rule 210.21(c)(1)(ii) and (c)(3)(i),

Synology stipulates and agrees as follows in connection with its Motion for Termination of the Investigation based on Consent Order:

- (1) Respondent Synology Inc. is a corporation organized under the laws of Taiwan with its principal place of business at 3F-3, No. 106, Chang-An W. Rd., Taipei, Taiwan 10351. Respondent Synology America Corporation is a corporation organized under the laws of the State of Washington with its principal place of business at 2899 152nd Ave NE, Redmond, WA, 98052.
- (2) Synology stipulates to the entry of a Consent Order in the form attached hereto as Exhibit A.
- (3) The Commission has *in rem* jurisdiction over Synology's imported products that contain Spansion's flash memory chips, which are the subject of the Complaint in this investigation, and the Commission has *in personam* jurisdiction over Synology for purposes of this Consent Order.
- (4) Synology agrees that upon entry of the Consent Order, it will not import into the United States, sell for importation, sell or offer for sale in the United States after importation, or knowingly aid, abet, encourage, participate in, or induce importation into the United States, the sale for importation into the United States, or the sale, offer for sale, or use in the United States after importation any accused Synology product or infringing Synology product until (a) the expiration, invalidation, and/or unenforceability of the Asserted Claims of the patents-in-suit, (b) Synology's products are found to be not infringing; or (c) Samsung licenses such Synology products to Synology. .
- (5) In determining whether Synology is in violation of this Consent Order, the Commission may infer facts adverse to Synology if Synology fails to provide adequate or timely information. The Commission may impose a "civil penalty for each day on which an importation of articles, or their sale, occurs in violation of the order of not more than the greater of \$100,000 or twice the domestic value of the articles entered or sold on such day in violation of the order." 19 U.S.C. § 1337(f)(2).
- (6) Synology expressly waives all rights to seek judicial review or otherwise challenge or contest the validity of the Consent Order, subject to Section 10 below.
- (7) Synology will cooperate with and will not seek to impede by litigation or other means the Commission's efforts to gather information under subpart I of the Commissions Rules of Practice and Procedure, 19 C.F.R. § 210.
- (8) Enforcement, modification, or revocation of the Consent Order will be carried out

pursuant to subpart I of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.

- (9) The Consent Order shall not apply with respect to any claim of any intellectual property right that has expired or been found or adjudicated invalid or unenforceable by the Commission or a court or agency of competent jurisdiction, provided that such finding or judgment has become final and nonreviewable.
- (10) Synology will not seek to challenge the validity or enforceability of the Asserted Claims of the patents-in-suit in any administrative or judicial proceeding to enforce the Consent Order, but shall be entitled to do so in any other proceeding.
- (11) The signing of the Consent Order Stipulation does not constitute an admission by Synology that the patents-in-suit are valid, enforceable, or infringed by Synology. This Consent Order does not affect any ability of Samsung to otherwise pursue legal claims regarding Synology's products in any other forum or proceeding.
- (12) The signing of the Consent Order Stipulation does not constitute an admission by Synology that an unfair act has been committed.
- (13) There are no agreements, written or oral, express or implied, between Synology and Complainant concerning the subject matter of this Investigation.
- (14) I am authorized to sign this stipulation on behalf of Synology International, Inc.

IN WITNESS WHEREOF, a duly authorized representative of Synology has caused this Stipulation to be executed as of the date indicated below.

Dated as of the 22nd day of June, 2010.



Cheen Liao
President, Synology America Corp.
Vice President, Synology, Inc.

Exhibit A

UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C. 20436

Before the Honorable Carl C. Charneski
Administrative Law Judge

In the Matter of

Investigation No. 337-TA-685

CERTAIN FLASH MEMORY AND
PRODUCTS CONTAINING SAME

[PROPOSED] CONSENT ORDER

The United States International Trade Commission has instituted this Investigation under Section 337 of the Tariff Act of 1930 as amended (19 U.S.C. § 1337), based upon the allegations contained in the complaint filed by Complainant Samsung Electronics Co., Ltd. (“Samsung”), which allege unfair acts in the importation into the United States, the sale for importation, and the sale within the United States after importation of downstream products made, sold, or offered for sale by Synology Inc. and Synology America Corporation (collectively “Synology”) containing flash memory chips made, sold, or otherwise provided by Respondents Spansion, Inc., Spansion LLC, or Spansion Japan Ltd. (collectively “Spansion”), which are alleged to infringe Claims 1, 19, 31, and 35 of U.S. Patent 6,930,050 (“the ’050 patent”) and Claims 1-8 and 11-12 of U.S. Patent 5,740,065 (“the ’065 patent”) (collectively, “the Asserted Claims of the patents-in-suit”).

Synology has executed a Consent Order Stipulation in which it agrees to the entry of this Consent Order and to all waivers and other provisions as required by the Commission’s Rules of Practice and Procedure and has filed a Motion for Termination of this Investigation based upon the Consent Order Stipulation. In particular, Synology has stipulated as follows:

1. Respondent Synology Inc. is a corporation organized under the laws of Taiwan with its principal place of business at 3F-3, No. 106, Chang-An W. Rd., Taipei, Taiwan 10351. Respondent Synology America Corporation is a corporation organized under the laws of the State of Washington with its principal place of business at 2899 152nd Ave NE, Redmond, WA, 98052.
2. The Commission has *in rem* jurisdiction over Synology's imported products that contain Spansion's flash memory chips, which are the subject of the Complaint in this investigation, and the Commission has *in personam* jurisdiction over Synology for purposes of this Consent Order.
3. Synology agrees that upon entry of the Consent Order, it will not import into the United States, sell for importation, sell or offer for sale in the United States after importation, or knowingly aid, abet, encourage, participate in, or induce importation into the United States, the sale for importation into the United States, or the sale, offer for sale, or use in the United States after importation any accused Synology product or infringing Synology products until (1) the expiration, invalidation, and/or unenforceability of the Asserted Claims of the patents-in-suit, (2) Synology's products are found to be not infringing; or (3) Samsung licenses such Synology products to Synology.
4. In determining whether Synology is in violation of this Consent Order, the Commission may infer facts adverse to Synology if Synology fails to provide adequate or timely information. The Commission may impose a "civil penalty for each day on which an importation of articles, or their sale, occurs in violation of the order of not more than the greater of \$100,000 or twice the domestic value of the articles entered or sold on such day in violation of the order." 19 U.S.C. § 1337(f)(2).
5. Synology expressly waives all rights to seek judicial review or otherwise challenge or contest the validity of the Consent Order, subject to Section 9 below.
6. Synology will cooperate with and will not seek to impede by litigation or other means the Commission's efforts to gather information under subpart I of the Commissions Rules of Practice and Procedure, 19 C.F.R. § 210.
7. Enforcement, modification, or revocation of the Consent Order will be carried out pursuant to subpart I of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.
8. The Consent Order shall not apply with respect to any claim of any intellectual property right that has expired or been found or adjudicated invalid or unenforceable by the Commission or a court or agency of competent jurisdiction, provided that such finding or judgment has become final and nonreviewable.

9. Synology will not seek to challenge the validity or enforceability of the Asserted Claims of the patents-in-suit in any administrative or judicial proceeding to enforce the Consent Order, but shall be entitled to do so in any other proceeding.
10. The signing of the Consent Order Stipulation does not constitute an admission by Synology that the Asserted Claims of the patents-in-suit are valid, enforceable, or infringed by Synology. This Consent Order does not affect any ability of Samsung to otherwise pursue legal claims regarding Synology's products in any other forum or proceeding.
11. The signing of the Consent Order Stipulation does not constitute an admission by Synology that an unfair act has been committed.
12. There are no agreements, written or oral, express or implied, between the parties concerning the subject matter of this Investigation.

NOW, THEREFORE, the Commission issues the following Consent Order:

1. Upon entry of this Consent Order, Synology shall not sell for importation, import into the United States, or sell or offer for sale in the United States after importation, or knowingly aid, abet, encourage, participate in, or induce importation into the United States, the sale for importation into the United States, or the sale, offer for sale, or use in the United States after importation any accused Synology product or infringing Synology product until (a) the expiration, invalidation, and/or unenforceability of the Asserted Claims of the patents-in-suit, (b) Synology's products are found to be not infringing; or (c) Samsung licenses such Synology products to Synology..
2. Synology shall be precluded from seeking judicial review or otherwise challenging or contesting the validity of the Consent Order, subject to the other Sections of this Order.
3. Synology shall cooperate with and shall not seek to impede by litigation or other means the Commission's efforts to gather information under subpart I of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.
4. Synology shall not seek to challenge and is precluded from any challenges to the validity or enforceability of the Asserted Claims of the patents-in-suit in any administrative or judicial proceeding to enforce the Consent Order, but shall be entitled to do so in any other proceeding.
5. When the Asserted Claims of the patents-in-suit expire, this Order shall become null and void as to each patent separately.

6. If any of the Asserted Claims of the patents-in-suit are held invalid or unenforceable by a court or agency of competent jurisdiction in a final decision, no longer subject to appeal, this Order shall become null and void as to any such invalid or unenforceable claims.
7. The entry of this Order does not constitute a determination that the Asserted Claims of the patents-in-suit are valid, enforceable, or infringed by Synology. This Consent Order does not affect any ability of Samsung to otherwise pursue legal claims regarding Synology's products in any other forum or proceeding.
8. The entry of this Order does not constitute a determination as to violation of Section 337 by Synology.
9. This Investigation is hereby terminated as to Synology, and Synology is hereby dismissed as a named Respondent in this Investigation; provided, however, that enforcement, modification, or revocation of the Consent Order shall be carried out pursuant to subpart I of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210. In determining whether Synology is in violation of this Consent Order, the Commission may infer facts adverse to Synology if Synology fails to provide adequate or timely information. The Commission may impose a "civil penalty for each day on which an importation of articles, or their sale, occurs in violation of the order of not more than the greater of \$100,000 or twice the domestic value of the articles entered or sold on such day in violation of the order." 19 U.S.C. § 1337(f)(2).

BY ORDER OF THE COMMISSION:

Date: _____

Marilyn R. Abbott, Secretary

CERTIFICATE OF SERVICE
Investigation No. 337-TA-685

I, Claudette B. Henry, hereby certify that copies of the foregoing *Complainant Samsung Electronics Co., Ltd. and Respondents Synology Inc. and Synology America Corporation's Joint Stipulated Motion to Terminate Investigation as to Respondents Synology Inc. and Synology America Corporation, Based on Consent Order Stipulation and Proposed Consent Order* was filed and served upon the following in the manner indicated below on this 22nd day of June, 2010:

The Honorable Marilyn R. Abbott Secretary to the Commission U.S. International Trade Commission 500 E Street, S.W., Room 112 Washington, D.C. 20436	<input type="checkbox"/> Via Hand Delivery (Original + six copies) <input type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Federal Express <input checked="" type="checkbox"/> Via Electronic Docket Filing
The Honorable Carl C. Charneski Administrative Law Judge U.S. International Trade Commission 500 E Street, S.W., Suite 317 Washington, D.C. 20436	<input checked="" type="checkbox"/> Via Hand Delivery (two copies) <input type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Federal Express <input type="checkbox"/> Via Electronic Mail
David Shaw, Esq. Administrative Law Judge Attorney Advisor Email: david.shaw@usitc.gov	<input type="checkbox"/> Via Hand Delivery <input type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Federal Express <input checked="" type="checkbox"/> Via Electronic Mail
Juan S. Cockburn, Esq. Office of Unfair Import Investigations U.S. International Trade Commission 500 E Street, S.W., Suite 401 Washington, D.C. 20436 Email: juan.cockburn@usitc.gov	<input checked="" type="checkbox"/> Via Hand Delivery <input type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Federal Express <input checked="" type="checkbox"/> Via Electronic Mail

On Behalf of Complainant Samsung Electronics Co., Ltd.

John M. Desmarais Kirkland & Ellis LLP Citigroup Center 153 East 53rd Street New York, NY 10022-4611 (212) 466-4800 Edward C. Donovan D. Sean Trainor Sean M. McEldowney Dennis J. Abdelnour Kirkland & Ellis LLP 685 Fifteenth Street, N.W. Washington, D.C. 20005-5793 (202) 879-5000	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Federal Express <input type="checkbox"/> Via Electronic Mail
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Bao Nguyen Christian Chad Taylor Kirkland & Ellis LLP 555 California Street San Francisco, CA 94104 (650) 439-1400 Email: SamsungSpansion685@kirkland.com	
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On Behalf of Respondents Spansion, Inc. and Spansion LLC

Joel M. Freed Stephen Shahida Qian Huang David DesRosier McDermott Will & Emery LLP 600 13th Street, N.W., 12th Floor Washington, D.C. 20005-3096 (202) 756-8000 Yar R. Chaikovsky Terrence McMahon McDermott Will & Emery LLP 275 Middlefield Road Menlo Park, CA 94025 (650) 815-7400 Email: Spansion_337-685@mwe.com	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Federal Express <input type="checkbox"/> Via Electronic Mail
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On Behalf of Respondent Spansion Japan Limited

Kenneth B. Herman Amy L. Beckman Ropes & Gray LLP 1211 Avenue of the Americas New York, NY 10036-8704 (212) 596-9000 James E. Hopenfeld Jamie L. Lucia Ropes & Gray LLP 700 12th Street, NW, Suite 900 Washington, D.C. 20005-3948 (202) 508-4600 Hiroyuki Hagiwara J. Steven Baughman Kaede Toh Clinton L. Conner Ropes & Gray LLP Yusen Building 2F 3-2 Marunouchi 2-Chome Chiyoda-ku, Tokyo 100-0005	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Federal Express <input type="checkbox"/> Via Electronic Mail
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03-6259-3500 Email: Spansion@ropesgray.com	
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On Behalf of Respondents Alpine Electronics, Inc. and Alpine Electronics America, Inc.

Joel M. Freed Stephen Shahida Qian Huang David DesRosier McDermott Will & Emery LLP 600 13th Street, N.W., 12th Floor Washington, D.C. 20005-3096 (202) 756-8000 Yar R. Chaikovsky Terrence McMahan McDermott Will & Emery LLP 275 Middlefield Road Menlo Park, CA 94025 (650) 815-7400 Email: Spansion_337-685@mwe.com	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Federal Express <input type="checkbox"/> Via Electronic Mail
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On Behalf of Respondent D-Link Corporation and D-Link Systems, Inc.

Joel M. Freed Stephen Shahida Qian Huang David DesRosier McDermott Will & Emery LLP 600 13th Street, N.W., 12th Floor Washington, D.C. 20005-3096 (202) 756-8000 Yar R. Chaikovsky Terrence McMahan McDermott Will & Emery LLP 275 Middlefield Road Menlo Park, CA 94025 (650) 815-7400 Email: Spansion_337-685@mwe.com	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Federal Express <input type="checkbox"/> Via Electronic Mail
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On Behalf of Respondent Slacker, Inc.

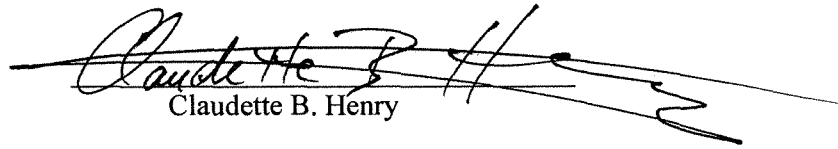
16935 W. Bernardo Dr., Suite 270 San Diego, CA 92127	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Federal Express <input type="checkbox"/> Via Electronic Mail
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On Behalf of Respondent Shenzhen Egreat Co., Ltd.

4/F, 1 Building Sha San Chuang Ye Industrial Park Sha Jing, Bao An, Shenzhen, China	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Federal Express <input type="checkbox"/> Via Electronic Mail
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On Behalf of Respondent Appro International, Inc.

Jerry Riedinger S. Kameron Parvin Perkins Coie LLP 1201 Third Avenue, Suite 4800 Seattle, WA 98101-3099 (206) 359-8000 Email: appro685@perkinscoie.com	<input type="checkbox"/> Via Hand Delivery <input type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Federal Express <input checked="" type="checkbox"/> Via Electronic Mail
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Claudette B. Henry

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