

**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 53: INITIAL DETERMINATION**  
**Terminating The Investigation As To EGreat USA**

Pursuant to Commission Rule 210.21(a), Complainant Samsung Electronics Co., Ltd. (“Samsung”) moves to terminate this investigation in part and to withdraw the allegations in its complaint as to EGreat USA. (Motion No. 685-50). The other respondents<sup>1</sup> did not take a position on this motion. The Commission Investigative Staff does not oppose the motion.

Commission Rule 210.21(a)(1) provides in part that, “Any party may move at any time prior to the issuance of an initial determination on violation of section 337 of the Tariff Act of 1930 to terminate an investigation in whole or in part as to any or all respondents, on the basis of withdrawal of the complaint or certain allegations contained therein . . .” 19 C.F.R. § 210.21(a)(1). The Commission has stated that “in the absence of extraordinary circumstances, termination of the investigation will be readily granted to a complainant during the prehearing stage of an investigation.” *Certain Transport Vehicle Tires*, Inv. No. 337-TA-390, Order No. 17 (unreviewed initial determination) at

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<sup>1</sup> Spansion, LLC and Spansion, Inc.; Alpine Electronics, Inc. and Alpine Electronics of America, Inc.; and D-Link Corporation and D-Link Systems, Inc.

4-5 (January 30, 1997) (Public Version February 12, 1997) (quoting *Certain Ultrafiltration Membrane Sys. and Components Thereof, Including Ultra Membranes*, Inv. No. 337-TA-107, Commission Action and Order at 2 (Mar. 11, 1982)). Furthermore, public policy supports termination to conserve public and private resources. *Certain Semiconductor Light Emitting Devices*, Inv. No. 337-TA-444, Order No. 7 (Jun. 27, 2001).

Samsung asserts that, “After further investigation, Samsung has determined that the EGreat USA named in the Complaint is not affiliated with Shenzhen Egreat Co., Ltd.” Mot. at 2.

This motion comports with Commission Rules and is in the interest of public policy. This motion is filed in advance of the hearing, which is scheduled to begin on December 6, 2010. This motion also reduces the number of issues to be decided as it terminates the investigation as to one of the private parties, and in turn conserves important private and judicial resources. Pursuant to Commission Rule 210.21(a)(1), Samsung states that there are no agreements, written or oral, express or implied between the parties concerning the subject matter of this Investigation.

Accordingly, it is the INITIAL DETERMINATION of the undersigned that Motion No. 685-50 is granted. This investigation is terminated as to EGreat USA.

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.

So Ordered.

*Carl C. Charneski*

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Carl C. Charneski  
Administrative Law Judge


Issued: December 3, 2010

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**PUBLIC CERTIFICATE OF SERVICE**

I, Marilyn R. Abbott, hereby certify that the attached **ORDER 53** has been served by hand upon the Commission Investigative Attorney, Juan S. Cockburn, Esq., and the following parties as indicated, on DEC 03 2010.

  
Marilyn R. Abbott, Secretary  
U.S. International Trade Commission  
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D-LINK SYSTEMS, INC., ALPINE  
ELECTRONICS, INC. AND ALPINE  
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