

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

CERTAIN AUTOMATED MEDIA LIBRARY  
DEVICES

Inv. No. 337-TA-746

**ORDER 18: DENYING RESPONDENTS' INTERNATIONAL BUSINESS MACHINES CORPORATION AND BDT AG, BDT-SOLUTIONS GMBH & CO. KG, BDT PRODUCTS, INC., BDT AUTOMATION TECHNOLOGY (ZHUHAI FTZ) CO., LTD., AND BDT DE MEXICO, S. DE R.L. DE C.V. MOTION FOR PARTIAL SUMMARY DETERMINATION OF NON-INFRINGEMENT OF CLAIMS 1-2, 5-7, 9-10, 12, AND 16 OF U.S. PATENT NO. 6,353,581**


(July 11, 2011)

On June 24, 2011, Respondents International Business Machines Corporation and BDT AG, BDT-Solutions GmbH & Co. KG, BDT Products, Inc., BDT Automation Technology (Zhuhai FTZ) Co., Ltd., and BDT de Mexico, S. de R.L. de C.V. (collectively, "Respondents") moved (746-016) for summary determination that the accused products do not infringe asserted claims 1-2, 5-7, 9-10, 12, and 16 of U.S. Patent No. 6,353,581, either literally or under the doctrine of equivalents. On July 6, 2011, Complainant Overland Storage, Inc. opposed Respondents' motion.

Having reviewed the pleadings and the arguments therein, the undersigned finds that summary determination is not appropriate. Because genuine issues of material facts may remain, good cause does not exist to grant the motion in lieu of a trial of all issues on the merits.


Accordingly, Respondents' motion (746-016) is hereby denied.

**SO ORDERED.**

  
Charles E. Bullock  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I, James R. Holbein, hereby certify that the attached **ORDER NO. 18** has been served upon the following parties via first class mail and air mail where necessary on July 11, 2011.

  
James R. Holbein, Secretary  
U.S. International Trade Commission  
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DEVICES**

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