

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

In the Matter of

**CERTAIN MACHINE VISION
SOFTWARE, MACHINE VISION
SYSTEMS, AND PRODUCTS
CONTAINING SAME**

Investigation No. 337-TA-680

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN
INITIAL DETERMINATION GRANTING, IN PART, COMPLAINANTS' MOTION
FOR SUMMARY DETERMINATION THAT THE IMPORTATION ELEMENT UNDER
SECTION 337(a)(1)(B) HAS BEEN SATISFIED**

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. 60) of the presiding administrative law judge ("ALJ") granting complainants' motion for summary determination that the importation element under Section 337(a)(1)(B) has been satisfied as to respondents MVTech Software GmbH of Germany; MVTech LLC of Cambridge, Massachusetts; Omron Corporation of Japan; Daiichi Jitsugyo Viswill Co., Ltd. of Japan; and Daiichi Jitsugyo (America), Inc. of Wood Dale, Illinois (collectively, "the subject respondents").

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2310. Copies of non-confidential 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. General information concerning the Commission may also be obtained by accessing its Internet server at <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>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on July 16, 2009, based on a complaint filed on May 28, 2009, by Cognex Corporation of Natick, Massachusetts and Cognex Technology & Investment Corporation of Mountain View, California (collectively "complainants"). 74 *Fed. Reg.* 34589-90 (July 16, 2009). The complaint, as amended, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, in the importation into the United States, the sale for importation, and the sale within the

United States after importation of certain machine vision software, machine vision systems, or products containing same by reason of infringement of certain claims of U.S. Patent Nos. 7,016,539 and 7,065,262. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337. The complaint names numerous respondents including the subject respondents and Resolution Technology, Inc. of Dublin, Ohio; Subtechnique, Inc. of Alexandria, Virginia; and Visics Corporation of Wellesley, Massachusetts (collectively, “the RSV respondents”).

On March 3, 2010, complainants moved for summary determination that the importation element under Section 337(a)(1)(B) has been satisfied as to the subject and RSV respondents.

The ALJ issued the subject ID on April 28, 2010, granting complainants’ motion only as to the subject respondents. No party petitioned for review of the 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.

/s/

Marilyn R. Abbott
Secretary to the Commission

Issued: May 18, 2010