

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN GRAPHIC SYSTEMS,
COMPONENTS THEREOF, AND
CONSUMER PRODUCTS CONTAINING
THE SAME**

Investigation No. 337-TA-1044

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANTS' MOTION FOR LEAVE TO FILE
A SECOND AMENDED COMPLAINT**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (the "Commission") has determined not to review a July 25, 2017, initial determination ("ID") (Order No. 27) granting complainants' motion seeking leave to file a second amended complaint ("Motion for Leave") based on the United States Patent and Trademark Office's ("USPTO") issuance of a Certificate of Correction ("CoC") under 37 CFR 1.323 for the asserted U.S. Patent No. 9,582,846 ("the '846 patent").

FOR FURTHER INFORMATION CONTACT: Ron Traud, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-3427. 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 SW., Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<https://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's Electronic Docket Information System ("EDIS") (<https://edis.usitc.gov>). Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: On March 22, 2017, the Commission instituted this investigation based on a complaint filed by Advanced Micro Devices, Inc. of Sunnyvale, CA; and ATI Technologies ULC of Ontario, Canada (collectively, "complainants"). 82 FR 14748. The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("section 337") based upon the importation into the United States, the sale for importation, or the sale within the United States after importation of certain graphics systems, components

thereof, and consumer products containing the same by reason of infringement of one or more of claims 1-9 of U.S. Patent No. 7,633,506; claims 1-13 and 40 of U.S. Patent No. 7,796,133; claims 2-5, 6-10, and 11 of U.S. Patent No. 8,760,454; and claims 1-8 of the '846 patent. *Id.* The Commission's Notice of Investigation named as respondents LG Electronics, Inc. of Seoul, Republic of Korea; LG Electronics U.S.A., Inc. of Englewood Cliffs, NJ; LG Electronics MobileComm U.S.A., Inc. of San Diego, CA; VIZIO, Inc. of Irvine, CA; MediaTek Inc. of Hsinchu City, Taiwan; Media Tek USA Inc. of San Jose, CA; and Sigma Designs, Inc. of Fremont, CA. *Id.* The Office of Unfair Import Investigations was also named as a party to this investigation. *Id.*

On July 25, 2017, the presiding administrative law judge ("ALJ") issued Order No. 27, the subject ID, which granted complainants' Motion for Leave based on the USPTO's issuance of the CoC for the '846 patent. The ALJ determined that the "issuance of a CoC after institution of an investigation constitutes good cause to amend the complaint upon which the investigation is based," and that "[t]here is no prejudice to the parties since they have had notice of Complainants' intention to amend its Complaint for a second time, and the amended patent will not contain new claim terms." Order 27 at 2-3. No party filed a petition seeking review of the subject ID.

The Commission has determined not to review the subject 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 part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: August 10, 2017