

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN VIDEO PROCESSING
DEVICES, COMPONENTS THEREOF,
AND DIGITAL SMART TELEVISIONS
CONTAINING THE SAME**

Inv. No. 337-TA-1222

NOTICE OF INSTITUTION OF INVESTIGATION

Institution of Investigation Pursuant to 19 U.S.C. 1337

AGENCY: U.S. International Trade Commission

ACTION: Notice

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on September 10, 2020, under section 337 of the Tariff Act of 1930, as amended, on behalf of DivX, LLC of San Diego, California. The complaint was supplemented on September 15 and 22, 2020. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain video processing devices, components thereof, and digital smart televisions containing the same by reason of infringement of one or more claims of U.S. Patent No. 8,832,297 (“the ’297 patent”); U.S. Patent No. 10,212,486 (“the ’486 Patent”); U.S. Patent No. 10,412,141 (“the ’141 patent”); and U.S. Patent No. 10,484,749 (“the ’749 patent”). The complaint further alleges that an industry in the United States exists or is in the process of being established as required by the applicable Federal Statute.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Katherine Hiner, Office of Docket Services, U.S. International Trade Commission, telephone (202) 205-1802.

SUPPLEMENTARY INFORMATION:

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission’s Rules of Practice and Procedure, 19 C.F.R. 210.10 (2020).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on October 13, 2020, 2020, **ORDERED THAT** –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether 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 products identified in paragraph (2) by reason of infringement of one or more of claims 1-11, 14-29, and 32-39 of the ’297 patent; claims 1-5, 7-10, 13-19, and 21-25 of the ’486 patent; claims 1-3, 5-11, 20-22, and 26-30 of the ’141 patent; claims 1-18 of the ’749 patent; and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission’s Rules of Practice and Procedure, 19 C.F.R. 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is: “video processing devices, consisting of printed circuit board assemblies for use in video processing in digital smart televisions and associated software and/or firmware, components thereof, consisting of integrated circuits containing video processors and associated software and/or firmware, and digital smart televisions containing the same, consisting of digital smart televisions containing such video processing devices and/or components”;

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

DivX, LLC
4350 La Jolla Village Drive
Suite 950
San Diego, CA 92122

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Samsung Electronics Co., Ltd.
129, Samsung-Ro, Maetan-3dong, Yeongtong-Gu
Suwon-si, Gyeonggi-do, 16677
Rep. of Korea

Samsung Electronics America, Inc.
85 Challenger Road
Ridgefield Park, NJ 07660

Samsung Electronics HCMC CE Complex,
Co., Ltd.
Lot I-11, D2 Road
Saigon Hi-Tech Park
Tang Nhon Phu B Ward
District 9
Ho Chi Minh City, 700000
Vietnam

LG Electronics Inc.
LG Twin Tower
128, Yeoui-daero
Yeongdeungpo-gu, Seoul, 07336
Rep. of Korea

LG Electronics USA, Inc.
1000 Sylvan Avenue
Englewood Cliffs, NJ 07632

TCL Corporation
TCL Technology Building
No. 17 Huifeng 3rd Road
Zhongkai High-Tech Development District
Huizhou, Guangdong, 516001
China

TCL Technology Group Corporation
TCL Technology Building
22/F, No. 17 Huifeng 3rd Road
Zhongkai High-Tech Development District
Huizhou, Guangdong, 516001
China

TCL Electronics Holdings Limited
9 Floor, TCL Electronics Holdings Limited Building
TCL International E City
#1001 Zhongshan Park Road
Nanshan District
Shenzhen, Guangdong, 518067
China

TTE Technology, Inc.
1860 Compton Avenue
Corona, CA 92881

Shenzhen TCL New Technologies Co. Ltd.
9 Floor, TCL Electronics Holdings Limited Building
TCL International E City
#1001 Zhongshan Park Road
Nanshan District
Shenzhen, Guangdong, 518067
China

TCL King Electrical Appliances (Huizhou) Co. Ltd.
No. 78, 4th Huifeng Rd
Zhongkai New & High-Tech Industries Development Zone
Huizhou, Guangdong, 516006
China

TCL MOKA International Limited
7/F Hong Kong Science Park
Building 22 E
22 Science Park East Avenue
Sha Tin, New Territories
Hong Kong (SAR)

TCL Smart Device (Vietnam) Co., Ltd
No. 26 VSIP II-A, Street 32
Vietnam Singapore Industrial Park II-A
Tan Binh Commune
Bac Tan Uyen District
Binh Duong Province, 75000
Vietnam

MediaTek Inc.
No. 1, Dusing 1st Road
Hsinchu Science Park
Hsinchu City, 30078
Taiwan

MediaTek USA Inc.
2840 Junction Avenue
San Jose, California 95134
United States

MStar Semiconductor, Inc.
4F-1, No. 26, Tai-Yuan St.
Chupei City
Hsinchu Hsien 302
Taiwan

Realtek Semiconductor Corp.
No. 2, Innovation Road II
Hsinchu Science Park
Hsinchu 300
Taiwan

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

The Office of Unfair Import Investigations will not participate as a party in this investigation.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.13. Pursuant to 19 C.F.R. 201.16(e) and 210.13(a), as amended in 85 Fed. Reg. 15798 (March 19, 2020), such responses will be considered by the Commission if received not later than 20 days after the date of service by the complainant of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: October 14, 2020