

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

In the Matter of

**CERTAIN GRAPHICS SYSTEMS,
COMPONENTS THEREOF, AND DIGITAL
TELEVISIONS CONTAINING THE SAME**

Investigation No. 337-TA-1318

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANTS' UNOPPOSED MOTION TO
TERMINATE THE INVESTIGATION AS TO CERTAIN ASSERTED PATENT
CLAIMS**

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. 72) of the presiding administrative law judge (“ALJ”) granting complainants’ unopposed motion to terminate the investigation as to asserted claims 7, 9, and 10 of U.S. Patent No. 11,184,628 (“the 628 patent”) based on withdrawal of the complaint as to those claims.

FOR FURTHER INFORMATION CONTACT: Richard P. Hadorn, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3179. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.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: The Commission instituted this investigation on June 7, 2022, based on a complaint filed by Advanced Micro Devices, Inc. of Santa Clara, California and ATI Technologies ULC of Ontario, Canada (together, “AMD”). 87 FR 34718-19 (June 7, 2022). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based on certain graphics systems, components thereof, and digital televisions containing the same by reason of infringement of certain claims of the ’628 patent and certain claims of U.S. Patent Nos. 7,742,053 (“the ’053 patent”); 8,854,381 (“the ’381 patent”); 8,760,454 (“the ’454 patent”); and 8,468,547 (“the ’547 patent”). *Id.* at 34718. The

complaint further alleges that a domestic industry exists. *Id.* The notice of investigation (“NOI”) named 14 respondents: TCL Industries Holdings Co. of Guangdong, China; TCL Industries Holdings (H.K.) Co. Limited of Hong Kong, China; TCL Electronics Holdings Ltd. f/k/a TCL Multimedia Technology Holdings, Ltd. of Hong Kong, China; TCL Technology Group Corporation of Guangdong, China; TTE Corporation of Hong Kong, China; TCL Holdings (BVI) Ltd. of Hong Kong, China; TCL King Electrical Appliances (Huizhou) Co. Ltd. of Guangdong, China; Shenzhen TCL New Technology Co., Ltd. of Guangdong, China; TCL MOKA International Ltd. of Hong Kong, China; TCL Smart Device (Vietnam) Co., Ltd. of Binh Duong Province, Vietnam; Manufacturas Avanzadas SA de CV of Chihuahua, Mexico; TCL Electronics Mexico of Benito Juarez, Mexico; TCL Overseas Marketing Ltd. of Hong Kong, China; and RealTek Semiconductor Corporation of Hsinchu, Taiwan. *Id.* at 34719, as amended, 87 FR 62452-53 (Oct. 14, 2022). The Office of Unfair Import Investigations is not named as a party to this investigation. *Id.* at 34719.

On August 4, 2022, the Commission terminated the investigation as to the ’454 patent in its entirety. *See* Order No. 10 (July 14, 2022), *unreviewed by* Comm’n Notice (Aug. 4, 2022). On October 7, 2022, the Commission terminated the investigation as to claims 17-21 of the ’547 patent and amended the complaint and NOI to correct the names of TCL Industries Holdings (H.K.) Co. Limited and Shenzhen TCL New Technology Co., Ltd. *See* Order No. 23 (Sept. 20, 2022), *unreviewed by* 87 FR 62452-53 (Oct. 14, 2022). On February 22, 2023, the Commission terminated the investigation as to the ’547 patent in its entirety. *See* Order No. 56 (Jan. 24, 2023), *unreviewed by* Comm’n Notice (Feb. 22, 2023). On March 7, 2023, the Commission terminated the investigation as to claims 1-4 and 7 of the ’053 patent and claims 8, 11, and 12 of the ’628 patent. *See* Order No. 64 (Feb. 7, 2023), *unreviewed by* Comm’n Notice (Mar. 7, 2023). On March 15, 2023, the Commission determined that the economic prong of the domestic industry requirement is satisfied in this investigation as to the remaining asserted patents—*i.e.*, the ’053, ’628, and ’381 patents. *See* Order No. 62 (Feb. 6, 2023), *aff’d by* Comm’n Notice (Mar. 15, 2023). On March 30, 2023, the Commission terminated the investigation as to claim 8 of the ’053 patent and claim 18 of the ’381 patent. *See* Order No. 70 (Mar. 14, 2023), *unreviewed by* Comm’n Notice (Mar. 30, 2023).

On March 31, 2023, AMD filed an unopposed motion to terminate the investigation as to claims 7, 9, and 10 of the ’628 patent (the remaining asserted claims for that patent) based on withdrawal of the complaint as to those claims. *See* Mot. at 1. No responses to AMD’s motion were filed.

On April 3, 2023, the ALJ issued the subject ID (Order No. 72) granting the motion. The ID finds that the motion complies with the requirements of Commission Rule 210.21(a)(1) (19 CFR 210.21(a)(1)), and that “no extraordinary circumstances exist that would prevent the requested partial termination of this Investigation.” ID at 1-2. No petitions for review of the subject ID were filed.

The Commission has determined not to review the subject ID. The investigation is terminated as to claims 7, 9, and 10 of the ’628 patent and, thus, the ’628 patent in its entirety.

The Commission vote for this determination took place on April 19, 2023.

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.

A handwritten signature in black ink, appearing to read 'L.R. Barton', enclosed within a circular flourish.

Lisa R. Barton
Secretary to the Commission

Issued: April 19, 2023