

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

In the Matter of

**CERTAIN COLOR TELEVISION
RECEIVERS AND COLOR DISPLAY
MONITORS, AND COMPONENTS
THEREOF**

Inv. No. 337-TA-534

NOTICE OF INVESTIGATION

AGENCY: U.S. International Trade Commission

ACTION: Institution of investigation pursuant to 19 U.S.C. §1337

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on February 24, 2005, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. §1337, on behalf of Thomson Licensing S.A. of Boulogne, France, and Thomson Licensing Inc. of Princeton, New Jersey. A letter supplementing the complaint was filed on March 18, 2005. The complaint, as supplemented, alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain color television receivers and color display monitors, and components thereof, by reason of infringement of claims 1 and 3 of U.S. Patent No. 4,836,651, claim 1 of U.S. Patent No. 5,041,888, claims 1, 5, and 7 of U.S. Patent No. 5,153,754, claims 1, 3, 5, and 6 of U.S. Patent No. 5,389,893, and claims 1 and 2 of U.S. Patent No. 5,452,195. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue a permanent exclusion order and permanent cease and desist orders.

ADDRESSES: The complaint and supplement, except for any confidential information contained therein, are 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., Room 112, Washington, D.C. 20436, telephone 202-205-2000. 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 be obtained by accessing its Internet server (<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>.

FOR FURTHER INFORMATION CONTACT: Steven R. Pedersen, Esq.,
Office of Unfair Import Investigations, U.S. International Trade Commission,
telephone 202-205-2781.

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. §210.10 (2004).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on March 22, 2005, 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 color television receivers or color display monitors, or components thereof, by reason of infringement of claim 1 or 3 of U.S. Patent No. 4,836,651, claim 1 of U.S. Patent No. 5,041,888, claim 1, 5, or 7 of U.S. Patent No. 5,153,754, claim 1, 3, 5, or 6 of U.S. Patent No. 5,389,893, or claim 1 or 2 of U.S. Patent No. 5,452,195, and whether an industry in the United States exists as required by subsection (a)(2) of section 337.

(2) 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 complainants are–

Thomson Licensing S.A.
46 quai Alphonse Le Gallo
92648 Boulogne, France

Thomson Licensing Inc.
2 Independence Way
Princeton, NJ 08540

(b) The respondents are the following companies alleged to be in

violation of section 337, and are the parties upon which the complaint is to be served:

BenQ Corp.
157 Shan-Ying Rd., Gueishan
Taoyuan 333, Taiwan

BenQ Optronics (Suzhou) Co., Ltd.
169 Zhujiang Rd., New District
Suzhou, Jiangsu
China 215011

BenQ America Corp.
53 Discovery
Irvine, California 92618

AU Optronics Corp.
No. 1, Li-Hsin Road 2
Science-Based Industrial Park
Hsinchu 300, Taiwan

(c) Steven R. Pedersen, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436, who shall be the Commission investigative attorney, party to this investigation; and

(3) For the investigation so instituted, the Honorable Robert L. Barton, Jr. is designated as the presiding administrative law judge.

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(d) and 210.13(a), such responses will be considered by the Commission if received no later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint 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 to authorize the administrative law judge and the Commission, without further notice to that respondent, to find the facts to be as alleged in the complaint and this notice and to enter both an initial determination and a final determination containing such

findings, and may result in the issuance of a limited exclusion order or a cease and desist order or both directed against that respondent.

By order of the Commission.

/s/
Marilyn R. Abbott
Secretary to the Commission

Issued: March 23, 2005