

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

In the Matter of

**CERTAIN DISPLAY DEVICES
INCLUDING DIGITAL TELEVISIONS
AND MONITORS**

Investigation No. 337-TA-713

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING IN PART RESPONDENTS' MOTION TO EXTEND
THE TARGET DATE AND THE PROCEDURAL SCHEDULE**

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 the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 18) granting the motion of respondents Chimei Innolux Corporation of Miaoli County, Taiwan and Innolux Corporation of Austin, Texas (collectively "CMI") to extend the target date and procedural schedule to November 29, 2011.

FOR FURTHER INFORMATION CONTACT: Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2301. 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 April 21, 2010, based on a complaint filed by Sony Corporation of Japan ("Sony"). *75 Fed. Reg.* 20860-1. The complaint, as amended and supplemented, 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 digital display devices including digital televisions and monitors by reason of infringement of certain claims of U.S. Patent Nos. 5,434,626; 5,751,373; 6,111,614; 5,583,577; 5,684,542; 5,731,847; 6,661,472; 6,816,131; Re 38,055; and Re 40,468. The complaint further alleges the existence of a domestic industry. The Commission's notice of investigation named various respondents.

including the CMI respondents and TPV Technology Limited of Tsim Sha Tsui, Hong Kong; Top Victory Electronics (Taiwan) Co. of Zhonghe City, Taiwan; TPV International (USA), Inc. of Austin, Texas; Envision Peripherals, Inc. of Fremont, California; Top Victory Investments Ltd. of Tsim Sha Tsui, Hong Kong; TPV Electronics (Fujian) Co. Ltd. of Fuqing City, China; TPV Display Technology (Wuhan) Co. of Wuhan City, China; TPV Technology (Beijing) Co., Ltd. of Beijing, China (collectively “TPV respondents”). On September 24, 2010, the Commission determined not to review and ID granting Sony’s motion to terminate the TPV respondents based on a settlement agreement..

On September 15, 2010, respondents CMI filed a motion to extend the target date and procedural schedule by four months. CMI argued that the extension is necessary in order to complete discovery on the six additional patents Sony is asserting against it. These patents were originally asserted against only the now terminated TPV respondents. CMI also requested modification of the procedural schedule to accommodate a *Markman* hearing. On September 27, 2010, Sony filed a response opposing the motion in full. Also on September 27, 2010, the Commission investigative attorney filed a response supporting the motion as far as extending the target date by three months, but opposing a *Markman* hearing.

On September 28, 2010, the ALJ issued the subject ID, granting under Commission Rule 210.51(a) the motion to extend the target date by three months, with a new target date of November 29, 2011, and to extend the procedural schedule. The ALJ declined to order a *Markman* hearing.

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 of the Commission’s Rules of Practice and Procedure (19 C.F.R. § 210.42).

By order of the Commission.

/s/
Marilyn R. Abbott
Secretary to the Commission

Issued: October 19, 2010