

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC

In the Matter of

**CERTAIN GRAPHICS PROCESSING
CHIPS, SYSTEMS ON A CHIP, AND
PRODUCTS CONTAINING THE SAME**

Inv. No. 337-TA-941

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION THAT THE ECONOMIC PRONG OF THE
DOMESTIC INDUSTRY REQUIREMENT HAS BEEN SATISFIED**

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. 12) of the presiding administrative law judge (“ALJ”) that the economic prong of the domestic industry requirement has been satisfied.

FOR FURTHER INFORMATION CONTACT: Clark S. Cheney, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-2661. 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 (<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 December 30, 2014, based on a complaint filed by Samsung Austin Semiconductor, LLC, of Austin, Texas, and Samsung Electronics Co., Ltd., of the Republic of Korea (collectively, “Samsung”). 79 Fed. Reg. 78477-78 (Dec. 30, 2014). The complaint alleged 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, or the sale within the United States after importation of certain graphics processing chips, systems on a chip, and products containing the same, by reason of infringement of U.S. Patent Nos. 6,147,385 (“the ’385 patent”); 6,173,349 (“the ’349 patent”); 7,056,776 (“the ’776 patent”); and 7,804,734 (“the ’734 patent”). The notice of

investigation named numerous respondents. The Office of Unfair Import Investigations was also named as a party. On July 1, 2015, the Commission published a notice that the '776 patent had been terminated from the investigation.

On June 18, 2015, Samsung filed a motion for summary determination that the economic prong of the domestic industry requirement has been met with respect to the three patents remaining in the investigation. No party opposed the motion. On July 16, 2015, the ALJ granted the motion and issued the subject ID. The ALJ reviewed the evidence submitted by Samsung and noted that no party disputed it. The ALJ found that Samsung has made a significant investment in plant, equipment, labor, and capital relating to articles allegedly protected by the '385, '349, and '734 patents. The ID made no determination as to whether any claims of the asserted patents read on the alleged domestic industry products (the technical prong of the domestic industry requirement). No petitions for review of the ID have been filed.

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 Part 210 of the Commission's Rules of Practice and Procedure (19 C.F.R. Part 210).

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', is positioned above the printed name and title.

Lisa R. Barton
Secretary to the Commission

Issued: August 12, 2015