

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN COMPUTING OR GRAPHICS
SYSTEMS, COMPONENTS THEREOF,
AND VEHICLES CONTAINING SAME**

Inv. No. 337-TA-984

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 December 28, 2015, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Advanced Silicon Technologies LLC of Portsmouth, New Hampshire. 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 computing or graphics systems, components thereof, and vehicles containing same by reason of infringement of certain claims of U.S. Patent No. 6,339,428 (“the ’428 patent”); U.S. Patent No. 6,546,439 (“the ’439 patent”); U.S. Patent No. 6,630,935 (“the ’935 patent”); and U.S. Patent No. 8,933,945 (“the ’945 patent”). The complaint further alleges that an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337.

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, is 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 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>.

FOR FURTHER INFORMATION CONTACT: The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

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 (2015).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on January 27, 2016, **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 computing or graphics systems, components thereof, and vehicles containing same by reason of infringement of one or more of claims 1-6, 8, 9, 10-14, 16, 17, and 25-29 of the '428 patent; claims 1-11 and 14-16 of the '439 patent; claims 1, 2, and 4-8 of the '935 patent; and claims 1-11 and 21 of the '945 patent, and whether an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337;

(2) Pursuant to Commission Rule 210.50(b)(1), 19 C.F.R. § 210.50(b)(1), the presiding administrative law judge shall take evidence or other information and hear arguments from the parties and other interested persons with respect to the public interest in this investigation, as appropriate, and provide the Commission with findings of fact and a recommended determination on this issue, which shall be limited to the statutory public interest factors set forth in 19 U.S.C. §§ 1337(d)(1), (f)(1), (g)(1);

(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:

Advanced Silicon Technologies LLC
118 Maplewood Avenue
Unit C-2/Box 8
Portsmouth, NH 03801

(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:

Bayerische Motoren Werke AG
Petuelring 130
D-80788, Munich
Germany

BMW of North America, LLC
300 Chestnut Ridge Road
Woodcliff Lake, NJ 07677

BMW Manufacturing Co., LLC
1400 Highway 101 South
Greer, SC 29651

Fujitsu Ten Limited
1-2-28, Goshō-dori
1-chome, Hyogo-ku
Kobe-shi, Hyogo-ken 652-8510
Japan

Fujitsu Ten Corp. of America, Inc.
30155 Hudson Drive
Novi, MI 48377

Harman International Industries, Inc.
400 Atlantic Street
Stamford, CT 06901

Harman Becker Automotive Systems, Inc.
39001 West Twelve Mile Road
Farmington Hills, MI 48331

Harman Becker Automotive Systems GmbH
Becker-Goring-Strasse 16
Karlsbad 76307
Germany

Honda Motor Co., Ltd.
2-1-1, Minami-Aoyama
Minato-Ku, Tokyo 107-8556
Japan

Honda North America, Inc.
700 Van Ness Avenue
Torrance, CA 90501

American Honda Motor Co., Inc.
1919 Torrance Boulevard
Torrance, CA 90501

Honda Engineering North America, Inc.
24000 Honda Parkway
Marysville, OH 43040

Honda of America Mfg., Inc.
24000 Honda Parkway
Marysville, OH 43040

Honda Manufacturing of Alabama, LLC
1800 Honda Drive
Lincoln, AL 35096

Honda Manufacturing of Indiana, LLC
2755 North Michigan Avenue
Greensburg, IN 47240

Honda R&D Americas, Inc.
1900 Harpers Way
Torrance, CA 90501

NVIDIA Corporation
2701 San Tomas Expressway
Santa Clara, CA 95050

Renesas Electronics Corporation
Toyosu Foresia
3-2-24 Toyosu
Koto-ku, Tokyo 135-0061
Japan

Renesas Electronics America, Inc.
2801 Scott Boulevard
Santa Clara, CA 95050

Texas Instruments Inc.
12500 TI Boulevard
Dallas, TX 75243

Toyota Motor Corporation
1 Toyota-cho
Toyota-shi, Aichi-ken 471-8571
Japan

Toyota Motor North America, Inc.
601 Lexington Avenue, 49th Floor
New York, NY 10022

Toyota Motor Sales, U.S.A., Inc.
19001 South Western Avenue
Torrance, CA 90501

Toyota Motor Engineering & Manufacturing North America, Inc.
25 Atlantic Avenue
Erlanger, KY 41018

Toyota Motor Manufacturing, Indiana, Inc.
4000 Tulip Tree Drive
Princeton, IN 47670

Toyota Motor Manufacturing, Kentucky, Inc.
1001 Cherry Blossom Way
Georgetown, KY 40324

Toyota Motor Manufacturing, Mississippi, Inc.
1200 Magnolia Way
Blue Springs, MS 38828

Volkswagen AG
Brieffach 1849
D-38436 Wolfsburg
Germany

Volkswagen Group of America, Inc.
2200 Ferdinand Porsche Drive
Herndon, VA 20171

Volkswagen Group of America Chattanooga Operations, LLC
8001 Volkswagen Drive
Chattanooga, TN 37416

Audi AG
Ettinger Strasse
D-85045, Ingolstadt
Germany

Audi of America, LLC
2200 Ferdinand Porsche Drive
Herndon, VA 20171

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate 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(e) and 210.13(a), such responses will be considered by the Commission if received not 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 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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', with a stylized flourish at the end.

Lisa R. Barton
Secretary to the Commission

Issued: January 29, 2016