

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

In the Matter of

**CERTAIN GRAPHICS PROCESSORS
AND PRODUCTS CONTAINING THE
SAME**

Investigation No. 337-TA-1099

**NOTICE OF COMMISSION DETERMINATION NOT TO
REVIEW AN INITIAL DETERMINATION TERMINATING THE
INVESTIGATION WITH RESPECT TO CERTAIN 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. 35) terminating the investigation with respect to certain patent claims.

FOR FURTHER INFORMATION CONTACT: Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436, telephone (202) 708-5468. 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, SW., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<https://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://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 February 5, 2018, based on a complaint filed by ZiiLabs Inc., Ltd. of Hamilton, Bermuda (“ZiiLabs”). 83 FR 5141-42. The complaint 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 graphics processors and products containing the same that infringe certain claims of U.S. Patent Nos. 6,181,355; 6,900,800 (“the ’800 patent”); 8,144,156; and 8,643,659. *Id.* at 5141. The Commission’s notice of investigation named as respondents ASUSTeK Computer Inc. of Taipei, Taiwan; ASUS Computer International

of Fremont, California; EVGA Corporation of Brea, California; Gigabyte Technology Co., Ltd. of New Taipei City, Taiwan; G.B.T. Inc. of City of Industry, California; Micro-Star International Co., Ltd. of New Taipei City, Taiwan; MSI Computer Corp. of City of Industry, California; Nintendo Co., Ltd. of Kyoto, Japan; Nintendo of America, Inc. of Redmond, Washington; Nvidia Corporation of Santa Clara, California; PNY Technologies Inc. of Parsippany, New Jersey; Zotac International (MCO) Ltd. of Macau, China; and Zotac USA Inc. of Duarte, California. *Id.* at 5142. The Office of Unfair Import Investigations is not participating in this investigation. *Id.*

On November 2, 2018, ZiiLabs moved to terminate the investigation with respect to claims 1, 2, 6, and 7 of the '800 patent by reason of a partial withdrawal of the complaint. No party opposed the motion.

On November 6, 2018, the presiding administrative law judge (“ALJ”) issued the subject ID, granting the motion and terminating the investigation with respect to claims 1, 2, 6, and 7 of the '800 patent. The ALJ found no extraordinary circumstances that warranted denying a motion to partially withdraw the complaint. No party petitioned for review of the ID.

The Commission has determined not to review the subject 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 CFR part 210).

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: December 4, 2018