



INTERNATIONAL TRADE COMMISSION

In the Matter of

**CERTAIN INTEGRATED CIRCUITS,
CHIPSETS, AND PRODUCTS
CONTAINING SAME INCLUDING
TELEVISIONS**

Inv. No. 337-TA-822

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 November 30, 2011, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Freescale Semiconductor, Inc. of Austin, Texas. 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 integrated circuits, chipsets, and products containing same including televisions by reason of infringement of certain claims of U.S. Patent No. 5,467,455 (“the ‘455 patent”). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue an 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 (2011).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on January 3, 2012, 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 integrated circuits, chipsets, and products containing same including televisions that infringe one or more of claims 9 and 10, 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 complainant is:

Freescale Semiconductor, Inc.
6501 William Cannon Drive West
Austin, TX 78735

(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:

MediaTek Inc.
No. 1 Dusing Road 1
Hsinchu Science Park
Hsinchu City, Taiwan

Zoran Corporation
1390 Kifer Road
Sunnyvale, CA 94086

Vizio, Inc.
39 Tesla
Irvine, CA 92618

Sanyo Electric Co., Ltd.
5-5 Keihan-Hondori, 2-chome Moriguchi
Osaka, Japan

Sanyo North America Corporation
2055 Sanyo Avenue
San Diego, CA 92154

Sanyo Manufacturing Corporation
3333 Sanyo Road

Forrest City, AR 72335

TPV Technology Limited
Suite 1023, 10th Floor, Ocean Centre
Harbour City, 5 Canton Road
Tsim Sha Tsui, Kowloon
Hong Kong

TPV International (USA) Inc.
3737 Executive Center Drive, Suite 261
Austin, TX 78731

Top Victory Electronics (Taiwan) Co., Ltd.
Zhonghe City, Taiwan

Top Victory Electronics (Fujian) Co., Ltd.
Fuqing City, China

AOC International (USA) Ltd.
47490 Seabridge Drive
Fremont, CA 94538

Envision Peripherals, Inc.
47490 Seabridge Dive
Fremont, CA 94538

Amtran Technology Co., Ltd.
No. 268, LianCheng Road
Jhonghe District
Xinbei City, Taiwan

Amtran Logistics, Inc.
9 Goddard
Irvine, CA 92618

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

(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

The Commission notes that issues regarding whether Complainant may be precluded from asserting its complaint in light of a Commission decision in a prior investigation involving the same patent may be present here. In instituting this investigation, the Commission has not made any determination as to whether Complainant is so precluded. Accordingly, the presiding administrative law judge may wish to consider this issue at an early date. Any such decision

should be issued in the form of an initial determination (ID) under Rule 210.42(c), 19 C.F.R. § 210.42(c). The ID will become the Commission's final determination 45 days after the date of service of the ID unless the Commission determines to review the ID. Any such review will be conducted in accordance with Commission Rules 210.43, 210.44 and 210.45, 19 C.F.R. §§ 210.43, 210.44, and 210.45.

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)-(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.

/s/
James R. Holbein
Secretary to the Commission

Issued: January 4, 2012

[FR Doc. 2012-178 Filed 01/09/2012 at 8:45 am; Publication Date: 01/10/2012]