

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN OPTICAL DISK CONTROLLER
CHIPS AND CHIPSETS AND PRODUCTS
CONTAINING SAME, INCLUDING DVD
PLAYERS AND PC OPTICAL STORAGE
DEVICES**

Inv. No. 337-TA-506

NOTICE OF INVESTIGATION

AGENCY: U.S. International Trade Commission

ACTION: Institution of investigation pursuant to 19 U.S.C. 1337

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on March 11, 2004, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Zoran Corporation and Oak Technology, Inc., both of Sunnyvale, California. Three letters supplementing the complaint were filed on March 29 and March 30, 2004. The complaint, as supplemented, alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain optical disk controller chips and chipsets and products containing same, including DVD players and PC optical storage devices, by reason of infringement of claims 1-12 of U.S. Patent No. 6,466,736, claims 1-3 of U.S. Patent No. 6,584,527, and claims 1-35 of U.S. Patent No. 6,546,440. The complaint further alleges that there exists an industry in the United States as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue a permanent exclusion order and permanent cease and desist orders.

ADDRESSES: The complaint and supplemental letters, except for any confidential information contained therein, are 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: Karin J. Norton, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone 202-205-2606.

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 CFR 210.10 (2003).

SCOPE OF INVESTIGATION: Having considered the complaint the U.S. International Trade Commission, on April 6, 2004, **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 optical disk controller chips or chipsets or products containing same, including DVD players and PC optical storage devices, by reason of infringement of claims 1-12 of U.S. Patent No. 6,466,736, claims 1-3 of U.S. Patent No. 6,584,527, or claims 1-35 of U.S. Patent No. 6,546,440, 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 complainants are–

Zoran Corporation
1390 Kifer Road
Sunnyvale, CA 94086-5305

Oak Technology, Inc.
1390 Kifer Road
Sunnyvale, CA 94086-5305

(b) The respondents are the following companies alleged to be in violation of section 337 and upon which the complaint is to be served:

ASUSTek Computer, Inc.
150 Li-Te Road, Peitou
Taipei, Taiwan 112

Creative Technology, Ltd.
31 International Business Park, Creative Resource
Singapore 609921, Republic of Singapore

Creative Labs, Inc.
1901 McCarthy Boulevard
Milpitas, California 95035

Jiangsu Shinco Electronic Group Co., Ltd.
5# Waihuan Road, Changzhou
Jiangsu, China 213022

LITE-ON Information Technology Corporation
14F, No. 392, Ruey Kuang Road, Neihu
Taipei 114, Taiwan

MediaTek, Inc.
5F, No. 1-2, Innovation Road 1, Science-Based
Industrial Park,
Hsin-Chu City, Taiwan 300

Mintek Digital
4195 E. Hunter Ave.
Anaheim, California 92807

Shinco International AV Co., Ltd.
Rm 1503, Kinok Center
9 Hung To Road, Ngau Tau Kok
Kowloon, Hong Kong

TEAC Corporation
3-7-3 Naka-Cho, Musashino-shi
Tokyo 180-8550, Japan

TEAC America, Inc.
7733 Telegraph Road
Montebello, California 90640

Terapin Technology Corporation
76 Playfair Rd #04-03 Block 2, LHK2 Building,
Singapore 367996, Republic of Singapore

Terapin Technology
1430 Valwood Parkway, Suite 110
Carrollton, Texas 75006

(c) Karin J. Norton, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Room 401-A, Washington, D.C. 20436, who shall be the Commission investigative attorney, party to this investigation; and

(3) For the investigation so instituted, the Honorable Paul J. Luckern is designated as 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(d) and 210.13(a), such responses will be considered by the Commission if received no 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 a response to the complaint 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 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 both an initial determination and a final determination containing such findings, and may result in the issuance of a limited exclusion order or a cease and desist order or both directed against such respondent.

By order of the Commission.

Marilyn R. Abbott
Secretary to the Commission

Issued: April 8, 2004