

Public Version

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

CERTAIN CONSUMER ELECTRONICS AND DISPLAY
DEVICES WITH GRAPHICS PROCESSING AND
GRAPHICS PROCESSING UNITS THEREIN

Inv. No. 337-TA-932

NOTICE OF INITIAL DETERMINATION ON VIOLATION OF SECTION 337

Administrative Law Judge Thomas B. Pender

(October 9, 2015)

On this date, I issued an initial determination on violation of section 337 in the above-referenced investigation. Below are my Initial Determination and the Conclusions of Law from said filing, which are a matter of public record. A complete public version of the Initial Determination will issue when all the parties have submitted their redactions and I have had an opportunity to review the redactions.

SO ORDERED.



Thomas B. Pender
Administrative Law Judge

INITIAL DETERMINATION AND ORDER

Based on the foregoing, it is my Initial Determination that there is no violation of Section 337 of the Tariff Act of 1930, as amended, in the importation into the United States, the sale for importation, or the sale within the United States after importation of Certain Consumer Electronics And Display Devices With Graphics Processing And Graphics Processing Units Therein, in connection with the Asserted Claims of U.S. Patent No. 7,209,140; U.S. Patent No. 6,690,372; or U.S. Patent No. 7,038,685. Furthermore, it is the determination of this Administrative Law Judge that a domestic industry in the United States does not exist that practices or exploits U.S. Patent No. 7,209,140 or U.S. Patent No. 6,690,372, but that a domestic industry in the United States does exist that practices or exploits U.S. Patent No. 7,038,685.

CONCLUSIONS OF LAW

1. The Commission has personal jurisdiction over the parties and subject-matter jurisdiction over the Accused Products.
2. The importation or sale requirement of Section 337 is satisfied.
3. The Accused Products with Adreno, PowerVR, or Mali GPUs do not infringe claim 14 of U.S. Patent No. 7,209,140.
4. The NVIDIA DI Products do not practice claim 14 of the '140 patent.
5. Claim 14 of the '174 patent is invalid as obvious pursuant to 35 U.S.C. § 103.
6. The domestic industry requirement is not met with regard to the '140 patent.
7. There has been no violation of Section 337 with regard to the '140 patent.
8. The Accused Products (except those listed in RDX-408C) with Adreno, PowerVR, or Mali GPUs infringe claim 23 of U.S. Patent No. 6,690,372.
9. The NVIDIA DI Products practice at least claims 21 and 22 of the '372 patent.
10. Claims 23 and 24 of the '372 patent are invalid as anticipated under 35 U.S.C. § 102.
11. The domestic industry requirement is not met with regard to the '372 patent.
12. There has been no violation of Section 337 with regard to the '372 patent.
13. The Accused Products with Adreno or Mali GPUs do not infringe claims 1 or 15 of U.S. Patent No. 7,038,685.
14. The NVIDIA DI Products practice claim 15 of the '685 patent.
15. Claims 1 or 15 of the '685 patent have not been shown to be invalid under 35 U.S.C. §§ 102, 103.
16. The domestic industry requirement is met with regard to the '685 patent.
17. There has been no violation of Section 337 with regard to the '685 patent.