

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

CERTAIN CONSUMER ELECTRONICS  
WITH DISPLAY AND PROCESSING  
CAPABILITIES

Inv. No. 337-TA-884

NOTICE REGARDING ISSUANCE OF FINAL INITIAL DETERMINATION AND  
RECOMMENDED DETERMINATION ON REMEDY AND BOND

(August 29, 2014)

On this date, the undersigned issued an Initial Determination on Violation of Section 337 and Recommended Determination on Remedy and Bond in the above-referenced Investigation. Attached are the opening pages from said filing, which are a matter of public record. A complete public version of the Initial Determination on Violation of Section 337 and Recommended Determination on Remedy and Bond will be issued when all the parties have submitted, and the undersigned has had an opportunity to review, the proposed redactions.

SO ORDERED.

  
E. James Gildea  
Administrative Law Judge

**ATTACHMENT A**

[REDACTED]

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INITIAL DETERMINATION ON VIOLATION OF SECTION 337 AND  
RECOMMENDED DETERMINATION ON REMEDY AND BOND

Administrative Law Judge E. James Gildea

(August 29, 2014)

**Appearances:**

*For the Complainant Graphics Properties Holdings, Inc.:*

Michael T. Renaud, Esq., James Wodarski, Esq., Drew de Voogd, Esq., Jack C. Schecter, Esq., Daniel B. Weinger, Esq., and Michael McNamara, Esq. of Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C. of Boston, Massachusetts.

Aarti Shah, Esq. and Adam Rizk, Esq. of Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C. of Washington, D.C.

*For the Respondents Toshiba Corp., Toshiba America, Inc., and Toshiba America Information Systems, Inc.:*

Carey Ramos, Esq., Edward J. DeFranco, Esq., and Michelle Ernst, Esq. of Quinn Emanuel Urquhart & Sullivan, LLP of New York, New York.

Paul F. Brinkman, Esq., Marissa R. Ducca, Esq., Charles A. Basinger, Esq., Augustus J. Golden, Esq., and Joy Odom, Esq. of Quinn Emanuel Urquhart & Sullivan, LLP of Washington, D.C.

*For the Commission Investigative Staff*

Margaret D. Macdonald, Esq., Director; Jeffrey Hsu, Esq., Supervisory Attorney; and Matthew N. Bathon, Esq., Investigative Attorney, of the Office of Unfair Import Investigations, U.S. International Trade Commission, of Washington, D.C.

[REDACTED]

Pursuant to the Notice of Investigation, 78 Fed. Reg. 38072-3 (June 25, 2013), this is the Initial Determination of the Investigation in the Matter of Certain Consumer Electronics with Display and Processing Capabilities, United States International Trade Commission Investigation No. 337-TA-884. *See* 19 C.F.R. § 210.42(a).

With respect to Respondents Toshiba Corp. and Toshiba America Information Systems, Inc., it is held that a violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation, of certain consumer electronics with display and processing capabilities, by reason of infringement of one or more of claims 2, 3, 7, and 25-26 of United States Patent No. 6,650,327.

With respect to Respondent Toshiba America, Inc., it is held that no violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation, of certain consumer electronics with display and processing capabilities, by reason of infringement of one or more of claims 2, 3, 7, and 25-26 of United States Patent No. 6,650,327.

With respect to Respondents Toshiba Corp. and Toshiba America Information Systems, Inc., it is held that a violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation, of certain consumer electronics with display and processing capabilities, by reason of infringement of one or more of claims 1, 4, 7, and 10 of United States Patent No. 8,144,158.

[REDACTED]

With respect to Respondent Toshiba America, Inc., it is held that no violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation, of certain consumer electronics with display and processing capabilities, by reason of infringement of one or more of claims 1, 4, 7, and 10 of United States Patent No. 8,144,158.

With respect to Respondents Toshiba Corp., Toshiba America, Inc., and Toshiba America Information Systems, Inc., it is held that no violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation, of certain consumer electronics with display and processing capabilities, by reason of infringement of claim 1 of United States Patent No. 5,717,881.

It is further held that a domestic industry exists that practices U.S. Patent Nos. 6,650,327 and 8,144,158.