

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of:

Investigation No. 337-TA-543

**CERTAIN BASEBAND PROCESSOR
CHIPS AND CHIPSETS, TRANSMITTER
AND RECEIVER (RADIO) CHIPS, POWER
CONTROL CHIPS, AND PRODUCTS
CONTAINING SAME, INCLUDING
CELLULAR TELEPHONE HANDSETS**

**COMPLAINANT BROADCOM CORPORATION'S
REQUEST TO APPEAR AT HEARING AND
SYNOPSIS OF ORAL PRESENTATION**

Pursuant to the Notice of Commission Decision to Hold a Public Hearing on the Issues of Remedy and the Public Interest ("Notice") issued on February 9, 2007, Complainant Broadcom Corporation ("Broadcom") hereby requests to appear at the Commission hearing to be held beginning March 21, 2007. Pursuant to the Notice, attached hereto is a one-page synopsis of Broadcom's oral presentation.

Respectfully submitted,

Dated: February 28, 2007

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Synopsis of Complainant Broadcom Corporation's Oral Presentation

Broadcom respectfully requests to appear before the Commission to make a presentation concerning the need for an effective remedy for Qualcomm's violation of Section 337 and the substantial public interest in vigorously enforcing intellectual property rights. Broadcom's presentation will consist of remarks by counsel, a representative of Broadcom, and experts in the enforcement of intellectual property rights, the role of the Commission in protecting patent holders, the wireless communications industry, and public safety and emergency response.

Broadcom will explain the public's interest in the protection of intellectual property rights, the importance of the patent system to innovation and the American economy, and the mandate of the Commission to protect the rights of American patent holders. Broadcom, and other similar technological innovators and patent holders, depend on the Commission to enforce and protect their rights against infringing imports.

Broadcom will further address the appropriate relief to be granted for Qualcomm's violation of Section 337. Broadcom will demonstrate that a limited exclusion order and a cease and desist order directed to Qualcomm's infringing chips are mandated and should be drawn to prevent Qualcomm from circumventing such orders. Broadcom will also explain the critical reasons why the limited exclusion order should cover certain downstream products. Broadcom's narrowly tailored proposed order will exclude from import a substantial number of infringing devices while affecting only a very small slice of a dynamic and constantly changing wireless market, leaving ample alternatives for consumers. Qualcomm, the wireless carriers, and device manufacturers have vastly overstated the impact of such an order on their businesses.

Finally, Broadcom will address the statutory public interest factors and the reasons they favor downstream relief here. The Commission should deny a remedy on public interest grounds only in cases of immediate and direct harm to institutions or initiatives critical to the public welfare. Broadcom's proposed order would have little or no negative effect on consumers, the economy, or public safety. It would affect only a limited class of wireless devices and would not materially impact the advancement of wireless technology. Broadcom may also rebut arguments made by Qualcomm or the intervenors and respond to the Recommended Determination.