

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C. 20436

In the Matter of

**CERTAIN SEMICONDUCTOR CHIPS
WITH MINIMIZED CHIP PACKAGE
SIZE AND PRODUCTS CONTAINING
SAME (IV)**

Inv. No. 337-TA-649

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 April 21, 2008, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Tessera, Inc. of San Jose, California. A supplement to the complaint was filed on May 14, 2008. 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 semiconductor chips with minimized chip package size and products containing same that infringe certain claims of U.S. Patent No. 5,679,977, U.S. Patent No. 5,852,326 and U.S. Patent No. 6,433,419. 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 exclusion orders 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: Kecia J. Reynolds, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2580.

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 (2007).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on May 20, 2008, 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 semiconductor chips with minimized chip package size or products containing same that infringe one or more of claims 1, 2, 6, 12, 16-19, 21, 24-26, and 29 of U.S. Patent No. 5,852,326; claims 1-11, 14, 15, 19, and 22-24 of U.S. Patent No. 6,433,419; and claim 17 of U.S. Patent No. 5,679,977; 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 –

Tessera, Inc.
3099 Orchard Drive
San Jose, California 95134

(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:

ASE Inc.
26 Chin Third Road
Nantze Export Processing Zone
Nantze, Kaohsiung
Taiwan

ASE Test Limited
10 West Fifth Street
Nantze Export Processing Zone
Kaohsiung
Taiwan

ASE (U.S.) Inc.
3590 Peterson Way
Santa Clara, California 95054

ChipMOS Technologies Inc.
No. 1 R&D Road 1
Science Based Industrial Park
Hsinchu
Taiwan

ChipMOS Technologies (Bermuda)
Ltd.
11F, No. 3, Lane 91, Dongmei Road
Hsinchu, Taiwan

ChipMOS USA Inc.
2890 N 1st Street
San Jose, California 95134

Siliconware Precision Industries
Co., Ltd.
No. 123, Sec. 3, Da Fong Road
Tantzu, Taichung
Taiwan

Siliconware USA Inc.
1735 Technology Drive, #300
San Jose, California 95110

STATS Chippac (BVI) Limited
Craigmuir Chambers, Road Town
Tortola, British Virgin Islands

STATS Chippac, Ltd.
10 Ang Mo Kio Street 65, #50-17/20
Techpoint, Singapore 569059

STATS Chippac, Inc.
47400 Kato Road
Fremont, California 94538

(c) The Commission investigative attorney, party to this investigation, is Kecia J. Reynolds, 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 Honorable Theodore Essex is designated as the presiding administrative law judge.

Any order deciding a motion for stay should be issued in the form of an initial determination (ID).

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 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/
Marilyn R. Abbott
Secretary to the Commission

Issued: May 21, 2008