

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN GRAPHICS SYSTEMS,
COMPONENTS THEREOF, AND DIGITAL
TELEVISIONS CONTAINING THE SAME**

Investigation No. 337-TA-1318

**NOTICE OF COMMISSION DETERMINATION TO EXTEND THE DEADLINE FOR
DETERMINING WHETHER TO REVIEW AN INITIAL DETERMINATION ON
VIOLATION OF SECTION 337**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to extend until October 12, 2023, the deadline for determining whether to review the presiding administrative law judge's ("ALJ") initial determination ("ID") finding a violation of section 337 of the Tariff Act of 1930, as amended, in the above-captioned investigation.

FOR FURTHER INFORMATION CONTACT: Richard P. Hadorn, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3179. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on June 7, 2022, based on a complaint filed by Advanced Micro Devices, Inc. of Santa Clara, California and ATI Technologies ULC of Ontario, Canada (together, "AMD"). 87 FR 34718-19 (June 7, 2022). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based on certain graphics systems, components thereof, and digital televisions containing the same by reason of infringement of certain claims of U.S. Patent Nos. 7,742,053 ("the '053 patent"); 8,760,454 ("the '454 patent"); 11,184,628 ("the 628 patent"); 8,468,547 ("the '547 patent"); and 8,854,381 ("the '381 patent"). *Id.* at 34718. The complaint further alleges that a domestic industry exists. *Id.* The notice of investigation ("NOI") named 14 respondents: (1) TCL Industries Holdings Co., Ltd. of Guangdong, China;

(2) TCL Industries Holdings (H.K.) Co. Limited of Hong Kong, China; (3) TCL Electronics Holdings Ltd. f/k/a TCL Multimedia Technology Holdings, Ltd. of Hong Kong, China; (4) TCL Technology Group Corporation of Guangdong, China; (5) TTE Corporation of Hong Kong, China; (6) TCL Holdings (BVI) Ltd. of Hong Kong, China; (7) TCL King Electrical Appliances (Huizhou) Co. Ltd. of Guangdong, China; (8) Shenzhen TCL New Technology Co., Ltd. of Guangdong, China; (9) TCL MOKA International Ltd. of Hong Kong, China; (10) TCL Smart Device (Vietnam) Co., Ltd. of Binh Duong Province, Vietnam; (11) Manufacturas Avanzadas SA de CV of Chihuahua, Mexico; (12) TCL Electronics Mexico, S de RL de CV of Benito Juarez, Mexico; (13) TCL Overseas Marketing Ltd. of Hong Kong, China (collectively, “TCL”); and (14) RealTek Semiconductor Corporation of Hsinchu, Taiwan (“Realtek”) (collectively, with TCL, “Respondents”). *Id.* at 34719, as amended, 87 FR 62452-53 (Oct. 14, 2022). The Office of Unfair Import Investigations is not named as a party to this investigation. 87 FR at 34719.

On August 4, 2022, the Commission terminated the investigation as to the ’454 patent in its entirety. *See* Order No. 10 (July 14, 2022), *unreviewed by* Comm’n Notice (Aug. 4, 2022).

On September 26, 2022, the Commission allowed non-party TTE Technology, Inc. of Corona, California to intervene in this investigation as an additional respondent (collectively, with all others, “Respondents”). *See* Order No. 17 (Aug. 30, 2022), *unreviewed by* Comm’n Notice (Sept. 26, 2022).

On October 7, 2022, the Commission terminated the investigation as to claims 17-21 of the ’547 patent and amended the complaint and NOI to correct the names of TCL Industries Holdings (H.K.) Co. Limited and Shenzhen TCL New Technology Co., Ltd. *See* Order Nos. 23 (Sept. 20, 2022) and 24 (Sept. 20, 2022), *unreviewed by* 87 FR 62452-53 (Oct. 14, 2022).

On February 22, 2023, the Commission terminated the investigation as to the ’547 patent in its entirety. *See* Order No. 56 (Jan. 24, 2023), *unreviewed by* Comm’n Notice (Feb. 22, 2023). On March 7, 2023, the Commission terminated the investigation as to claims 1-4 and 7 of the ’053 patent and claims 8, 11, and 12 of the ’628 patent. *See* Order No. 64 (Feb. 7, 2023), *unreviewed by* Comm’n Notice (Mar. 7, 2023).

On March 15, 2023, the Commission granted summary determination that the economic prong of the domestic industry requirement has been satisfied in this investigation as to the remaining asserted patents—*i.e.*, the ’053, ’628, and ’381 patents. *See* Order No. 62 (Feb. 6, 2023), *aff’d by* Comm’n Notice (Mar. 15, 2023).

On March 30, 2023, the Commission terminated the investigation as to claim 8 of the ’053 patent and claim 18 of the ’381 patent. *See* Order No. 70 (Mar. 14, 2023), *unreviewed by* Comm’n Notice (Mar. 30, 2023). On April 19, 2023, the Commission terminated the investigation as to the ’628 patent in its entirety. *See* Order No. 72 (Apr. 3, 2023), *unreviewed by* Comm’n Notice (Apr. 19, 2023).

On July 7, 2023, the ALJ issued the subject final ID on violation and recommended determination (“RD”) on remedy and bond. The ID finds no violation of section 337 as to the ’053 patent, but does find a violation as to claims 19 and 20 of the ’381 patent. The RD recommends that, should the Commission determine that a violation of section 337 has occurred, the Commission should: (i) issue a limited exclusion order against the Respondents’ infringing products; (ii) issue a cease and desist order against all the TCL respondents (except for TTE Technology, Inc.), but not against Realtek; and (iii) issue no bond for importations of infringing products during the period of Presidential review.

The Commission has determined to extend until October 12, 2023, the deadline for determining whether to review the ID on violation in this investigation.

The Commission vote for this determination took place on September 5, 2023.

The authority for the Commission’s determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission’s Rules of Practice and Procedure (19 CFR Part 210).

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: September 5, 2023