

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 DECISION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANTS' MOTION FOR SUMMARY
DETERMINATION OF EFFECTIVE SERVICE ON A RESPONDENT**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“the Commission”) has determined not to review an initial determination (“ID”) (Order No. 33) of the presiding administrative law judge (“ALJ”) granting complainants’ motion for summary determination of effective service of the complaint, notice of investigation (“NOI”), and nonconfidential exhibits on respondent Realtek Semiconductor Corp. (“Realtek”) of Hsinchu, Taiwan.

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436, telephone (202) 708-2310. 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 on behalf of Advanced Micro Devices, Inc. of Santa Clara, California and ATI Technologies ULC of Ontario, Canada (collectively, “Complainants”). 87 FR 34718-19 (Jun. 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 upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain graphics systems, components thereof, and digital televisions containing the same by reason of infringement of certain claims of U.S. Patent Nos. 8,468,547 (“the ’547 patent”);

7,742,053; 8,760,454; 11,184,628; and 8,854,381. The complaint further alleges that a domestic industry exists and is in the process of being established. The Commission's NOI, as amended, names fourteen (14) respondents, including: TCL Industries Holdings Co., Ltd., TCL Technology Group Corporation, TCL King Electrical Appliances (Huizhou) Co. Ltd., and Shenzhen TCL New Technology Co., Ltd., all of Guangdong, China; TCL Industries Holdings (H.K.) Co. Limited, TCL Electronics Holdings Limited f/k/a TCL Multimedia Technology Holdings, Ltd., TTE Corporation, TCL Holdings (BVI) Limited, TCL MOKA International Limited, and TCL Overseas Marketing Ltd., all of New Territories, Hong Kong; TCL Smart Device (Vietnam) Co., Ltd. of Binh Duong Province, Vietnam; Manufacturas Avanzadas SA de CV of Chihuahua, Mexico; TCL Electronics Mexico, S de RL de CV of Distrito Federal, Mexico City, Mexico; and Realtek. *See* 87 FR 62452-3 (Oct. 14, 2022). The Office of Unfair Import Investigations is not participating in the investigation. The complaint and NOI have been amended to change the name of respondent "TCL Industries Holdings (H.K.) Limited" to "TCL Industries Holdings (H.K.) Co. Limited," and the name of respondent "Shenzhen TCL New Technologies Co., Ltd." to "Shenzhen TCL New Technology Co., Ltd. *See* Order No. 23 (Sept. 20, 2022), *unreviewed by* Comm'n Notice (Oct. 11, 2022). TTE Technology, Inc. of Corona, California has intervened in the investigation. *See* Order No. 17 (Aug. 30, 2022), *unreviewed by* Comm'n Notice (Sept. 27, 2022).

Claims 17-21 of the '547 patent and claims 2-11 of the '454 patent have been withdrawn. *See* Order No. 10 (July 14, 2022), *unreviewed by* Comm'n Notice (Aug. 4, 2022); Order No. 23 (Sept. 20, 2022), *unreviewed by* Comm'n Notice (Oct. 11, 2022).

On October 4, 2022, Complainants moved for summary determination of effective service of the complaint, NOI, and nonconfidential exhibits on Realtek. On October 14, 2022, Realtek timely opposed Complainants' motion.

On October 19, 2022, the ALJ issued the subject ID (Order No. 33) granting Complainants' motion for summary determination of effective service on Realtek. Order No. 33 finds that effective service of the complaint, NOI, and nonconfidential exhibits was made on both Realtek's outside counsel and of the complainant and NOI on the Taipei Economic & Cultural Representative Office, satisfying Commission Rules 210.11(a)(1), 201.16(a)(1), (3), 19 CFR 210.11(a)(1), 19 CFR 201.16(a)(1), (3). Order No. 33 also finds that granting the motion negates Realtek's ninth affirmative defense that effective service was not made by Complainants. No petitions for review were filed.

The Commission has determined not to review the subject ID.

The Commission vote for this determination took place on November 18, 2022.

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.

A handwritten signature in black ink, appearing to read "Katherine M. Hiner". The signature is written in a cursive style with a large initial "K".

Katherine M. Hiner
Acting Secretary to the Commission

Issued: November 18, 2022