

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

**In the Matter of**

**CERTAIN INTEGRATED CIRCUITS,  
COMPONENTS THEREOF, AND  
PRODUCTS CONTAINING THE SAME**

**Investigation No. 337-TA-1350**

**NOTICE OF COMMISSION DETERMINATION TO EXTEND THE DEADLINE FOR  
DETERMINING WHETHER TO REVIEW A FINAL INITIAL DETERMINATION  
AND THE TARGET DATE FOR COMPLETION OF THIS INVESTIGATION**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to extend the deadline for determining whether to review a final initial determination (“FID”) finding no violation of section 337 in the above-captioned investigation to June 3, 2024. The Commission is also extending the target date for completion of this investigation to August 6, 2024.

**FOR FURTHER INFORMATION CONTACT:** Carl P. Bretscher, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-2382. 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](mailto: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 on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** On January 24, 2023, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), based on a complaint filed by Realtek Semiconductor Corporation of Hsinchu, Taiwan (“Realtek”). *See* 88 FR 4205-06 (Jan. 24, 2023). The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, sale for importation, or sale within the United States after importation of certain integrated circuits, components thereof, and products containing the same by reason of infringement of one of more claims 1-4 and 9 of U.S. Patent Nos. 9,590,582 (“the ’582 patent”), claims 12-18 of U.S. Patent No. 8,006,218 (“the ’218 patent”), and claims 1, 2, and 8 of U.S. Patent No. 7,936,245 (“the ’245 patent”). *Id.* The complaint also alleges that a domestic industry exists. *Id.* The notice of investigation names Advanced Micro Devices, Inc. of Santa Clara, CA (“AMD”) as the sole

respondent. *Id.* The Office of Unfair Import Investigations is not participating in this investigation. *Id.*

The presiding ALJ held a *Markman* hearing on June 5, 2023, and issued a claim construction ruling on July 25, 2023. Order No. 21 (July 25, 2023).

On November 14, 2023, the Commission partially terminated the investigation with respect to claim 9 of the '582 patent and claim 14 of the '218 patent, due to Realtek's withdrawal of those claims. Order No. 40 (Oct. 20, 2023), *unreviewed by* Comm'n Notice (Nov. 14, 2023).

On January 19, 2024, the presiding ALJ issued the FID, which finds no violation of section 337 with respect to any of the three asserted patents because: (1) the asserted claims of the '245 patent are infringed but invalid; (2) the asserted claims of the '218 patent are infringed but invalid; (3) the asserted claims of the '582 patent are not infringed and are invalid (except for claim 4); (4) Realtek would have satisfied the technical prong of the domestic industry requirement with respect to each patent but for the fact that the claims asserted with respect to the technical prong are invalid; (5) Realtek has not satisfied the economic prong of the domestic industry requirement for any of the asserted patents. FID at 252.

On February 2, 2024, Realtek filed a petition for review and AMD a contingent petition for review of certain of the FID's findings. Notably, Realtek is not seeking review of the FID's no-violation determination with respect to the '218 patent, leaving only the '245 patent and '582 patent at issue. On February 12, 2024, the parties filed their respective responses to the opposing party's petition for review.

On January 30, 2024, the Commission issued a notice requesting submissions on the public interest issues raised by the recommended relief should a violation be found. 89 FR 5933 (Jan. 30, 2024). On February 20, 2024, AMD timely filed a public interest statement, pursuant to Commission Rule 210.50(a)(4), 19 CFR 210.50(a)(4). On February 26, 2024, Realtek moved for leave to file its public interest statement out of time. On the same date, the Commission denied Realtek's motion. Accordingly, Realtek did not submit a public interest submission pursuant to Commission Rule 210.50(a)(4).

The Commission has determined to extend the deadline for determining whether to review the subject FID to June 3, 2024. The Commission is also extending the target date for completion of this investigation to August 6, 2024.

The Commission vote for this determination took place on March 15, 2024.

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 'L.R. Barton', enclosed within a large, loopy oval flourish.

Lisa R. Barton  
Secretary to the Commission

Issued: March 15, 2024