

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

**In the Matter of**

**CERTAIN DIGITAL PHOTO FRAMES  
AND IMAGE DISPLAY DEVICES AND  
COMPONENTS THEREOF**

**Investigation No. 337-TA-807**

**NOTICE OF COMMISSION DECISION TO EXTEND THE TARGET DATE FOR  
COMPLETION OF THE 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 target date for completion of the above-captioned investigation to March 12, 2013.

**FOR FURTHER INFORMATION CONTACT:** Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2310. Copies of non-confidential documents filed in connection with this investigation are or will be 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., Washington, D.C. 20436, telephone (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>. 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:** The Commission instituted this investigation on September 27, 2011, based on a complaint filed by Technical Properties Limited, LLC ("TPL") of Cupertino, California. *76 Fed. Reg.* 59737-38. The complaint alleges a violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain digital photo frames and image display devices and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 6,976,623 ("the '623 patent"); 7,162,549; 7,295,443; and 7,522,424. The complaint further alleged the existence of a domestic industry. The Commission's notice of investigation named twenty respondents including Nextar; WinAccord Ltd.; WinAccord U.S.A.; Aiptek; Pandigital; Action Electronics Co., Ltd. ("Action") of Taoyuan County, Taiwan; Aluratek, Inc. ("Aluratek") of Tustin, California; Audiovox Corporation ("Audiovox") of Happaage, New York; CEIVA Logic, Inc. ("CEIVA") of Burbank, California; Circus World Displays Ltd. ("Circus") of Niagra Falls, Canada; Coby Electronics Corporation

("Coby") of Lake Success, New York; Curtis International, Ltd. ("Curtis") of Ontario, Canada; Digital Spectrum Solutions, Inc. ("Digital Spectrum") of Irvine, California; Eastman Kodak Company ("Eastman Kodak") of Rochester, New York; Mustek Systems, Inc. ("Mustek") of Hsinchu Taiwan; Royal Consumer Information Products, Inc. ("Royal Consumer") of Somerset, New Jersey; Sony Corporation of Tokyo, Japan; Sony Corporation of America of New York, New York (collectively, "the Sony respondents"); Transcend Information, Inc. ("Transcend") of Taipei, Taiwan; and Viewsonic Corporation ("Viewsonic") of Walnut, California. The complaint and notice of investigation were served on all respondents. See Notice of Investigation, Certificate of Service (Sept. 22, 2011) (EDIS Document 459720). No Commission investigative attorney is participating in the investigation.

On November 10 and 30, 2011, respectively, the Commission determined not to review initial determinations ("IDs") issued by the presiding administrative law judge ("ALJ") terminating the investigation as to Coby and Aluratek based on settlement agreements. On December 21, 2011, the Commission determined not to review an ID terminating the investigation as to Circus based on a settlement agreement. On January 25, 2012, the Commission determined not to review an ID terminating the investigation as to Curtis based on a settlement agreement. On February 10 and 23, 2012, respectively, the Commission determined not to review IDs terminating the investigation as to Royal Consumer and Viewsonic based on settlement agreements. On March 16, 2012, the Commission determined not to review an ID terminating the investigation as to CEIVA based on a settlement agreement. On April 11, 2012, the Commission determined not to review IDs terminating the investigation as to Eastman Kodak and Mustek, respectively, based on consent order stipulations. On May 24 and 29, 2012, respectively, the Commission determined not to review IDs terminating the investigation as to the '623 patent with respect to Pandigital, and terminating Digital Spectrum, based on consent order stipulations. On June 20, 2012, the Commission determined not to review an ID terminating the investigation as to Action based on a consent order stipulation. On July 26, 2012, the Commission determined not to review an ID terminating the investigation as to Transcend based on a consent order stipulation. On October 3, 2012, the Commission determined not to review an ID terminating the investigation as to the Sony respondents based on a consent order stipulation.

On December 6 and 22, 2011, respectively, the ALJ issued IDs finding Nextar, the WinAccord respondents, and Aiptek in default, pursuant to 19 C.F.R. §§ 210.13 and 210.16, because these respondents did not respond to the complaint and notice of investigation, or to Order Nos. 13 and/or 15 to show cause. On January 3 and 9, 2012, respectively, the Commission determined not to review the IDs finding Nextar, the WinAccord respondents, and Aiptek in default.

On March 8, 2012, complainant TPL filed a declaration requesting immediate relief against the defaulting respondent Aiptek under Commission rule 210.16(c)(1), 19 C.F.R. § 210.16(c)(1), which it later withdrew.

On October 9, 2012, the ALJ issued Order No. 47 to Pandigital show cause why it should not be found in default and in violation of section 337 pursuant to 19 C.F.R. § 210.17 because respondent did not file a pre-hearing statement and brief as required by the ALJ's Procedural

Schedule. As of November 7, 2012, Pandigital had not responded to Order No. 47 and so the ALJ issued an ID finding Pandigital in default and in violation of section 337. He also extended the target date in this investigation at that time to March 7, 2013.

On December 7, 2012, the Commission determined not to review the ID finding Pandigital in default and in violation of section 337. The Commission also requested public briefing on remedy, the public interest, and bonding with respect to Pandigital, Aiptek, Nextar, and the WinAccord respondents and requested that TPL address certain issues related to remedy and bonding. *77 Fed. Reg. 74220-21* (Dec. 13, 2012). On December 21, 2012, TPL submitted responsive briefing including a proposed limited exclusion order directed to the covered products of Pandigital, Aiptek, Nextar, and the WinAccord respondents and cease and desist orders directed to each of the defaulting respondents.

The Commission has determined to extend the target date for completion of the above-referenced investigation by five (5) days to March 12, 2013.

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 section 210.51(a) of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.51(a).

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', written in a cursive style.

Lisa R. Barton  
Acting Secretary to the Commission

Issued: March 7, 2013