

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN ACTIVE MATRIX ORGANIC
LIGHT-EMITTING DIODE DISPLAY
PANELS AND MODULES FOR MOBILE
DEVICES, AND COMPONENTS THEREOF**

Investigation No. 337-TA-1351

**NOTICE OF A COMMISSION DETERMINATION TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION BASED ON
COMPLAINANT'S LACK OF STANDING AND ON REVIEW TO VACATE THE
DETERMINATION AND REMAND FOR FURTHER PROCEEDINGS**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 44), terminating the investigation based on lack of constitutional standing. The Commission vacates the ID and remands the investigation to the presiding ALJ for further proceedings consistent with the concurrently issued opinion and remand order.

FOR FURTHER INFORMATION CONTACT: Amanda Pitcher Fisherow, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2737. 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: On February 3, 2023, the Commission instituted this investigation based on a complaint filed by Samsung Display Co., Ltd. ("Complainant") of the Republic of Korea. 88 FR 7463-64 (Feb. 3, 2023). The complaint alleged 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, or sale within the United States after importation of certain active matrix organic light-emitting diode display panels and modules for mobile devices, and components thereof by reason of the infringement of certain claims of U.S. Patent Nos. 9,818,803; 10,854,683; 7,414,599; and 9,330,593. *Id.* The Commission's notice of investigation, as amended, named numerous respondents, including Mianyang BOE Optoelectronics Co., Ltd of Sichuan, China; Injured Gadgets, LLC of Norcross, Georgia;

Parts4LCD of Wayne, New Jersey; Phone LCD Parts LLC of Wayne, New Jersey; and Wholesale Gadget Parts, Inc. of Bixby, Oklahoma (collectively, “Respondents”). The Office of Unfair Import Investigations (“OUII”) was also named as a party in this investigation. *Id.*

On November 15, 2023, Respondents moved for summary determination that Complainant lacked constitutional standing to bring and maintain the investigation. On November 27, 2023, Complainant opposed the motion and OUII filed a response in support of the motion. *See* ID at 1.

On January 9, 2024, the ALJ issued the ID granting summary determination that Complainant lacked constitutional standing. On January 19, 2024, Complainant petitioned for review of the ID. On January 26, 2024, OUII and Respondents filed responses to the petition for review. On January 31, 2024, Complainant moved for leave to file a limited reply in support of its petition for review. On February 12, 2024, OUII and the Respondents each filed responses in opposition to Complainant’s motion for leave to file a reply.

Having examined the record of this investigation, including the ID, the petitions for review, and responses thereto, the Commission has determined to review the subject ID. On review, the Commission vacates the ID and remands the investigation for further proceedings consistent with the Commission’s concurrently issued opinion and remand order. The Commission has also determined to deny Complainant’s motion to file a limited reply in support of its petition for review.

The Commission vote for this determination took place on April 24, 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.



Lisa R. Barton
Secretary to the Commission

Issued: April 24, 2024