

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 January 4, 2011, based on a complaint filed by Rambus Inc. of Sunnyvale, California ("Rambus"), alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain semiconductor chips and products containing the same. 76 FR 384 (Jan. 4, 2011). The complaint alleged the infringement of various claims of patents including U.S. Patent Nos. 6,470,405; 6,591,353; 7,287,109 (collectively, "the Barth patents"); and Nos. 7,602,857; and 7,715,494 (collectively, "the Dally patents"). The Barth patents share a common specification, as do the Dally patents. The notice of investigation named as respondents Freescale Semiconductor of Austin, Texas ("Freescale"); Broadcom Corp. of Irvine, California ("Broadcom"); LSI Corporation of Milpitas, California ("LSI"); Mediatek Inc. of Hsin-Chu, Taiwan ("Mediatek"); NVIDIA Corp. of Santa Clara, California ("NVIDIA"); STMicroelectronics N.V. of Geneva, Switzerland; and STMicroelectronics Inc. of Carrollton, Texas (collectively, "STMicro"), as well as approximately twenty customers of one or more of these respondents.

The investigation has since been terminated against many of the respondents on the basis of Rambus's settlements with Broadcom, Freescale, MediaTek, and NVIDIA.

LSI and STMicro are the only two manufacturer respondents remaining. With them as respondents are their customers Asustek Computer, Inc. and Asus Computer International, Inc.; Cisco Systems, Inc.; Garmin International Inc.; Hewlett-Packard Company; Hitachi Global Storage Technologies; and Seagate Technology.

On March 2, 2012, the ALJ issued the final ID. The ID found no violation of section 337 for several reasons. All of the asserted claims were found to be invalid or obvious in view of the prior art under 35 U.S.C. 102 or 103. The Barth patents were found to be unenforceable under the doctrine of unclean hands by virtue of Rambus's destruction of documents. The ID also found that Rambus had exhausted its

rights under the Barth patents as to certain products of one respondent. The ID found that all of the asserted patent claims were infringed, and rejected numerous affirmative defenses raised by the respondents.

On March 19, 2012, Rambus, the respondents and the Commission investigative attorney ("IA") each filed a petition for review of the ID. On March 27, 2012, these parties each filed a response to the others' petitions.

On May 3, 2012, the Commission determined to review the ID in its entirety. 77 FR 27,249 (May 9, 2012). The notice of review asked the parties to brief certain questions.

Having examined the record of this investigation, including the ALJ's final ID, the petitions for review and the responses thereto, and the briefing in response to the notice of review, the Commission has determined to terminate the investigation with a finding of no violation of section 337.

The Commission has determined to find no violation of section 337 for the following reasons: We affirm the ALJ's conclusion that all of the asserted patent claims are invalid under 35 U.S.C. 102 or 103, except for the asserted Dally multiple-transmitter claims ('857 claims 11-13, 32-34, 50-52), for which we find that Rambus has not demonstrated infringement. We reverse the ALJ's determination that Rambus has demonstrated the existence of a domestic industry under 19 U.S.C. 1337(a) for both the Barth patents and Dally patents. We affirm the ALJ's determination that the Barth patents are unenforceable under the doctrine of unclean hands. We affirm the ALJ's finding of exhaustion of the Barth patents as to one respondent. The Commission's determinations, including non-dispositive findings not recited above, will be set forth more fully in the Commission's opinion.

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 sections 210.21, 210.42-46 and 210.50 of the Commission's Rules of Practice and Procedure (19 CFR 210.21, 210.42-46 and 210.50).

By order of the Commission.

Issued: July 25, 2012.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

[FR Doc. 2012-18591 Filed 7-30-12; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-789]

### Certain Digital Televisions and Components Thereof; Determination Not to Review Initial Determinations Terminating the Investigation as to Three Respondents; Termination of Investigation

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review initial determinations ("IDs") (Order Nos. 69, 70, and 71) granting joint motions to terminate the above-captioned investigation with respect to three respondents on the basis of settlement agreements. The investigation is terminated in its entirety.

**FOR FURTHER INFORMATION CONTACT:** Jia Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-4737. 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 SW., Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<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 July 19, 2011, based on a complaint filed by Vizio Inc. of Irvine, California ("Vizio"). 76 FR 42728-29 (July 19, 2011). The complaint alleged violations 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 televisions and components thereof by reason of infringement of certain claims of United States Patent Nos. 5,511,096; 5,621,761; 5,703,887; 5,745,522; and 5,511,082. The notice of investigation named the

following respondents: Coby Electronics Corp. (“Coby”) of Lake Success, NY; Curtis International LTD (“Curtis”) of Ontario, Canada; E&S International Enterprises, Inc. of Van Nuys, CA; MStar Semiconductor, Inc. of ChuPei Hsinchu Hsien, Taiwan; On Corp US, Inc. of San Diego, California; Renesas Electronics Corporation of Kanagawa, Japan, Renesas Electronics America, Inc. of Santa Clara, California; Sceptre Inc. (“Sceptre”) of City of Industry, California; and Westinghouse Digital, LLC of Orange, California. All respondents except for Coby, Curtis, and Sceptre have been terminated from the investigation.

On June 11, 2012, Vizio and respondent Sceptre filed a joint motion under Commission Rule 210.21(a)(2) to terminate the investigation on the basis of a settlement agreement that resolves their litigation. On the same day, Vizio and respondent Coby filed a joint motion under Commission Rule 210.21(a)(2) to terminate the investigation on the basis of a settlement agreement that resolves their litigation. On June 12, 2012, Vizio and Curtis filed a joint motion under Commission Rule 210.21(a)(2) to terminate the investigation on the basis of a settlement agreement that resolves their litigation. Public and confidential versions of the agreements were attached to the motions. The motions stated that there are no other agreements, written or oral, express or implied, between the parties concerning the subject matter of this investigation. The Commission investigative attorney supported the motions. On June 25, 2012, the ALJ issued Order No. 69 granting the joint motion filed by Vizio and Sceptre. On the same day, the ALJ issued Order No. 70 granting the joint motion filed by Vizio and Coby. On June 26, 2012, the ALJ issued Order No. 71 granting the joint motion filed by Vizio and Curtis and terminating the investigation in its entirety. The ALJ found that no extraordinary circumstances exist that would prevent the requested terminations and that the motions fully comply with Commission Rule 210.21. No petitions for review were received.

The Commission has determined not to review the subject IDs. The investigation is terminated in its entirety.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and Part 210 of the Commission’s Rules of Practice and Procedure (19 CFR Part 210).

By order of the Commission.

Issued: July 25, 2012.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

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## **INTERNATIONAL TRADE COMMISSION**

[Investigation Nos. 337–TA–741/749]

### **Certain Liquid Crystal Display Devices, Including Monitors, Televisions, Modules, and Components Thereof; Commission Determination Not To Review an Initial Determination Terminating the Investigation as to U.S. Patent No. 6,121,941; Termination of Investigation**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review initial determinations (“ID”) (Order No. 31) granting a joint motion to terminate the above-captioned investigation with respect to U.S. Patent No. 6,121,941. The investigation is terminated in its entirety.

**FOR FURTHER INFORMATION CONTACT:** Jia Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708–4737. 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 SW., Washington, DC 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 Inv. No. 337–TA–741 on October 18, 2010, based on a complaint filed by Thomson Licensing SAS of France and Thomson Licensing LLC of Princeton, New Jersey (collectively “Thomson”). 75 FR. 63856 (Oct. 18, 2010). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended 19 U.S.C. 1337,

by reason of infringement of various claims of United States Patent Nos. 6,121,941 (“the ‘941 patent”); 5,978,063 (“the ‘063 patent”); 5,648,674 (“the ‘674 patent”); 5,621,556 (“the ‘556 patent”); and 5,375,006 (“the ‘006 patent”). The Commission instituted Inv. No. 337–TA–749 on November 30, 2010, based on a complaint filed by Thomson. 75 FR 74080 (Nov. 30, 2010). The complaint alleged violations of section 337 of the Tariff Act of 1930 by reason of infringement of various claims of the ‘063, ‘556, and ‘006 patents. On January 5, 2011, the Commission consolidated the two investigations. The respondents are Chimei InnoLux Corporation of Taiwan and InnoLux Corporation of Austin, Texas (collectively, “CMI”); MStar Semiconductor Inc. of Taiwan (“MStar”); Qisda Corporation of Taiwan and Qisda America Corporation of Irvine, California (collectively, “Qisda”); BenQ Corporation of Taiwan, BenQ America Corporation of Irvine, California, and BenQ Latin America Corporation of Miami, Florida (collectively “BenQ”); Realtek Semiconductor Corp. of Taiwan (“Realtek”); and AU Optronics Corp. of Taiwan and AU Optronics Corp. America of Houston, Texas.

On January 12, 2012, the ALJ issued his final ID finding no violation with respect to the ‘941, ‘063, ‘556, and ‘006 patents and a violation with respect to the ‘674 patent. On June 14, 2012, the Commission affirmed the ALJ’s finding of no violation with respect to the ‘063, ‘556, and ‘006 patents. 77 FR 47067 (June 20, 2012). The Commission reversed the ALJ’s finding of violation with respect to the ‘674 patent and remanded the investigation to the ALJ to determine whether the ‘941 patent is anticipated. *Id.*

On July 6, 2012, complainant Thomson and respondents Qisda, BenQ, CMI, Realtek, and MStar filed a joint motion under Commission Rule 210.21(a)(1) to terminate the investigation with respect to the ‘941 patent. The motion stated that there are no other agreements, written or oral, express or implied, between the parties concerning the subject matter of this investigation. On July 9, 2012, the ALJ issued the subject ID granting the joint motion. The ALJ found that no extraordinary circumstances exist that would prevent the requested termination and that the motion fully complies with Commission Rule 210.21(a)(1). No petitions for review were received.

The Commission has determined not to review the subject ID. The investigation is terminated in its entirety.