

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

**In the Matter of**

**CERTAIN SHORT-WAVELENGTH  
LIGHT EMITTING DIODES, LASER  
DIODES AND PRODUCTS  
CONTAINING SAME**

**Inv. No. 337-TA-640**

**NOTICE OF INVESTIGATION**

AGENCY: U.S. International Trade Commission

ACTION: Institution of investigation pursuant to 19 U.S.C. § 1337

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on February 20, 2008, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Gertrude Neumark Rothschild of Hartsdale, New York. Letters supplementing the complaint were filed on March 11 (two letters), 12, and 14, 2008. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain short-wavelength light emitting diodes, laser diodes and products containing same that infringe certain claims of U.S. Patent No. 5,252,499. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue exclusion orders and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is 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., Room 112, Washington, D.C. 20436, telephone 202-205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 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>.

FOR FURTHER INFORMATION CONTACT: Jeffrey T. Hsu, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2579.

**AUTHORITY:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.10 (2007).

**SCOPE OF INVESTIGATION:** Having considered the complaint, the U.S. International Trade Commission, on March 18, 2008, ORDERED THAT –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain short-wavelength light emitting diodes, laser diodes or products containing same that infringe one or more of claims 10, 12, 13, and 16 of U.S. Patent No. 5,252,499, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is –

Gertrude Neumark Rothschild  
153 Old Colony Road  
Hartsdale, New York 10530-3609

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Avago Technologies  
No. 1 Yishun Avenue 7  
Singapore 768923

Bacol Optoelectronic Co Ltd  
2F, No. 760  
Chung Cheng Road  
Chung Ho City  
Taipei 235, Taiwan

Dominant Semiconductor Sdn. Bhd.  
Lot 6, Batu Berendam  
FTZ Phase III  
75350, Melaka  
Malaysia

Everlight Electronics Co., Ltd.

25, Lane 76, Sec. 3  
Chung Yang Road  
TuCheng, Taipei 236, Taiwan

Exceed Perseverance Electronic Ind. Co., Ltd.  
Room 606, Unit 3, Building 14  
Jiuzhou Garden, Longyuan Road  
Longgang District  
Shenzhen, Guangdong  
China, 518116

Guangzhou Hongli Opto-Electronic Co., Ltd.  
West Side of Dongfeng Highway  
Auto City, Huadu District  
Guangzhou, China

Harvatek International Inc.  
No. 18, Lane 522  
Chung Hwa Road, Sec. 5  
Hsin Chu, Taiwan

Hitachi, Ltd.  
6-6, Marunouchi 1-chome, Chiyoda-ku  
Tokyo 100-8280  
Japan

Kingbright Electronic Co., Ltd.  
3F, No. 317-1  
Chung Shan Road, Sec. 2  
Chung Ho, Taipei Hsien  
Taipei 235, Taiwan

LG Electronics  
LG Twin Towers 20  
Yoido-dong, Youngdungpo-gu  
Seoul, 150-721  
Korea

Lite-On Technology Corp.  
90, Chien I Road  
Chung Ho, Taipei Hsien  
Taiwan

Lucky Light Electronics Co., Ltd.

Unit E & F, 15/F  
Cooperative Finance Building  
Shennan East Road  
Louhu District, Shenzhen, China

Matsushita Electric Industrial Co., Ltd.  
1006, Kadoma, Kadoma City  
Osaka 571-8501, Japan

Motorola, Inc.  
1303 East Algonquin Road  
Schaumburg, Illinois 60196

Nokia  
P.O. Box 226  
FI-00045 Nokia Group  
Finland

Opto Tech Corporation  
No. 8, Innovation Road I  
Hsinchu Science-based Industrial Park  
Hsinchu, Taiwan

Pioneer Corporation  
1-4-1 Meguro, Meguro-ku  
Tokyo 153-8654, Japan

Rohm Co., Ltd.  
21, Saiin Mizosaki-cho, Ukyo-ku  
Kyoto 615-8585, Japan

Samsung Group  
250, 2-ga, Taepyung-ro  
Jung-gu, Seoul, 100-742  
Korea

Sanyo Electric Co., Ltd.  
5-5 Keihan-Hondori 2-Chome  
Moriguchi City, Osaka 570-8677  
Japan

Seoul Semiconductor Co., Ltd.  
148-29 Gasan-dong, Keumchun-gu

Seoul, Korea

Sharp Corporation  
22-22 Nagaïke-cho, Abeno-ku  
Osaka 545-8522, Japan

Shenzhen Unilight Electronic Co., Ltd.  
Tongfuyu Industrial Zone  
Xinhe Village, Fuyong Town  
Bao'an District, Shenzhen City  
Guangdong Province, China

Shinano Kenshi Co., Ltd.  
1078, Kami-maruko, Ueda-shi  
Nagano-ken, Japan

Sony Corporation  
1-1-1 Konan, Minato-ku  
Tokyo 108-0075  
Japan

Sony Ericsson Mobile Communications AB  
Nya Vattentornet  
SE-221 88 Lund  
Sweden

Stanley Electric Co., Ltd.  
2-9-13, Nakameguro, Meguro-ku  
Tokyo 153-8636  
Japan

Toshiba Corporation  
1-1, Shibaura 1-chome, Minato-ku  
Tokyo 105-8001  
Japan

Vishay Intertechnology, Inc.  
63 Lancaster Avenue  
Malvern, Pennsylvania 19355

Yellow Stone Corporation  
No. 9, Lane 113  
Chihyuan 2<sup>nd</sup> Road

Beitou District, Taipei  
Taiwan

(c) The Commission investigative attorney, party to this investigation, is Jeffrey T. Hsu, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(3) For the investigation so instituted, the Honorable Paul J. Luckern is designated as the presiding administrative law judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.13. Pursuant to 19 C.F.R. §§ 201.16(d) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Marilyn R. Abbott  
Secretary to the Commission

Issued: March 19, 2008