

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

**In the Matter of**

**CERTAIN INTEGRATED CIRCUITS,  
CHIPSETS, AND PRODUCTS  
CONTAINING SAME INCLUDING  
TELEVISIONS**

**Investigation No. 337-TA-822**

**NOTICE OF COMMISSION DETERMINATION TO AFFIRM ORDER NO. 17  
STAYING THE INVESTIGATION PENDING THE COMMISSION'S  
DETERMINATION IN CO-PENDING INV NO. 337-TA-786**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to affirm the presiding administrative law judge's ("ALJ") Order No. 17 granting a motion by several of the respondents to stay the investigation pending the Commission's determination in co-pending Inv. 337-TA-786.

**FOR FURTHER INFORMATION CONTACT:** Amanda S. Pitcher, 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 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 January 10, 2012, based on a complaint filed by Freescale, alleging 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 integrated circuits, chipsets, and products containing same including televisions by reason of infringement of certain claims of U.S. Patent No. 5,467,455. 77 Fed. Reg. 1505-6 (Jan. 10, 2012). The Notice of Investigation named the following as respondents: MediaTek Inc. of Hsinchu City, Taiwan; Zoran Corporation of Sunnyvale, California; Vizio, Inc. of Irvine,

California; Sanyo Electric Co., Ltd. of Osaka, Japan; Sanyo North America Corporation of San Diego, California; Sanyo Manufacturing Corporation of Forrest City, Arizona; TPV Technology Limited of Hong Kong, China; PTV International (USA) Inc. of Austin, Texas; Top Victory Electronics (Taiwan) Co., of Zhonghe City, Taiwan; Top Victory Electronics (Fujian) Co., Ltd. of Fuqing City, China; AOC; Envision Peripherals, Inc. of Fremont, California; Amtran Technology Co., Ltd. of Xinbei City, Taiwan; and Amtran Logistics, Inc. of Irvine, California. The Office of Unfair Import Investigations (“OUII”) was named as a party.

On July 20, 2012, several of the respondents collectively filed a motion to stay the procedural schedule pending the completion of *Certain Integrated Circuits, Chipsets, and Products Containing Same Including Televisions*, Inv. 337-TA-786, which is currently before the Commission for a determination on whether to review the ALJ’s final ID finding the only patent at issue in the 822 investigation invalid, not infringed and not practiced by Freescale. On July 27, 2012, Freescale filed an opposition to the motion. OUII responded that its participation in this investigation is limited to preclusion issues and that it was not taking a position on the motion.

On August 6, 2012, the ALJ issued Order No. 17 styled “Initial Determination Staying the Investigation Pending the Commission’s Final Determination in Investigation No. 337-TA-786”. Order No. 17 granted respondents’ motion to stay the procedural schedule. The ALJ considered five factors: (1) state of discovery and the hearing date; (2) whether a stay will simplify the issues and hearing of the case; (3) the undue prejudice or clear tactical disadvantage to any party; (4) the stage of the parallel proceedings; and (5) the efficient use of Commission resources in determining to grant the stay. The ALJ found that the balance of the factors weighed in favor of granting the stay. Freescale petitioned for review of Order No. 17. The respondents filed a response. OUII did not file a response.

Order No. 17 is not an initial determination under Commission rule 210.42, 19 C.F.R. §210.42. The Commission has determined to treat this matter as an interlocutory appeal under Commission rule 210.24 (b), 19 C.F.R. § 210.24(b). *See Certain Semiconductor Chips With Minimized Chip Package Size and Products Containing Same*, Inv. No. 337-TA-605, Comm’n Op. at 3 (May 27, 2008). On appeal, the Commission has determined to affirm Order No. 17.

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 C.F.R. § 210).

By order of the Commission.

/s/  
Lisa R. Barton  
Acting Secretary to the Commission

Issued: August 30, 2012