

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN SEMICONDUCTOR CHIPS
WITH MINIMIZED CHIP PACKAGE
SIZE AND PRODUCTS CONTAINING
SAME (III)**

Inv. No. 337-TA-630

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 December 7, 2007, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Tessera, Inc. of San Jose, California. Letters supplementing the complaint were filed on December 21 and 28, 2007. The complaint, as supplemented, alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain semiconductor chips with minimized chip package size and products containing same by reason of infringement of certain claims of U.S. Patent Nos. 5,679,977; 6,133,627; 5,663,106; and 6,458,681. 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: Kecia J. Reynolds, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2580.

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 January 3, 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 semiconductor chips with minimized chip package size or products containing same by reason of infringement of one or more of claims 1-4, 9, 10, and 33-35 of U.S. Patent No. 5,663,106; claims 17 and 18 of U.S. Patent No. 5,679,977; claims 1-4, 6, 9-12, 15, and 16 of U.S. Patent No. 6,133,627; and claim 4 of U.S. Patent No. 6,458,681, 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 –

Tessera, Inc.
3099 Orchard Drive
San Jose, California 95134

(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:

A-Data Technology Co., Ltd.
18F, No. 258, Lian Cheng Road
Chung Ho City
Taipei, Taiwan 235

A-Data Technology (U.S.A.) Co., Ltd.
3149 Skyway Court
Fremont, California 94539

Acer Inc.
8F, 88, Sec. 1, Hsin Tai Wu Road, Hsichih
Taipei, Hsien 221, Taiwan

Acer America Corp.
333 W. San Carlos Street, Suite 1500
San Jose, California 95110

Centon Electronics, Inc.
15 Argonaut
Aliso Viejo, California 92656

Elpida Memory, Inc.
Sumitomo Seimei Yaesu Building 3F
2-1, Yaesu 2-chome, Chuo-ku
Tokyo 104-0028 Japan

Elpida Memory (USA) Inc.
2001 Walsh Avenue
Santa Clara, California 95050

International Products Sourcing
Group, Inc.
4119 Leap Road
Hilliard, Ohio 43026

Kingston Technology Co., Inc.
17600 Newhope Street
Fountain Valley, California 92708

Nanya Technology Corporation
Hwa Ya Technology Park
669, Fu Hsing 3rd Road
Kueishan, Taoyuan 333, Taiwan

Nanya Technology Corp. U.S.A.
675 East Brokaw Road
San Jose, California 95112

Peripheral Devices & Products
Systems, Inc. d/b/a Patriot Memory
47027 Benicia Street
Fremont, California 94538

Powerchip Semiconductor Corp.
No. 12, Li-Hsin 1st Road
Hsinchu Science Park
Hsinchu, Taiwan

ProMOS Technologies Inc.
No. 19, Li-Hsin Road
Hsinchu Science Park
Hsinchu, Taiwan 30078

Ramaxel Technology Ltd.
3/F-5/F, North Block, Southeast Industrial &
Commercial Building
Houhai Avenue, Shekou, Shenzhen
Guangdong, China 518067

SMART Modular Technologies, Inc.
4211 Starboard Drive
Fremont, California 94538

TwinMOS Technologies Inc.
No. 3, Tzu Chiang Road
Hsin-Chu Industrial District, Hu Kou Xiang
Hsin-Chu, Taiwan 303

TwinMOS Technologies USA Inc.
1649 S. Main Street, Suite 105
Milpitas, California 95035

(c) The Commission investigative attorney, party to this investigation, is Kecia J. Reynolds, 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 Charles E. Bullock 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: January 3, 2008