

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

In the Matter of

**CERTAIN DIGITAL TELEVISIONS AND
CERTAIN PRODUCTS CONTAINING SAME
AND METHODS OF USING SAME**

Inv. No. 337-TA-617
Bond Forfeiture

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION RETURNING BOND POSTED BY RESPONDENTS ENVISION
PERIPHERALS, INC. AND TPV INTERNATIONAL (USA), INC.**

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 the presiding administrative law judge's ("ALJ") initial determination ("ID"), issued January 10, 2011, granting a petition filed by respondents Envision Peripherals, Inc. ("Envision") and TPV International (USA), Inc. ("TPV USA") to release and return the bond posted in connection with this investigation.

FOR FURTHER INFORMATION CONTACT: Daniel E. Valencia, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-1999. 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 the underlying investigation on November 15, 2007, based on a complaint filed by Funai Electric Co., Ltd. of Japan and Funai Corporation of Rutherford, NJ (collectively "Funai"), alleging violations of section 337 of the Tariff Act of 1930 (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 certain products containing same by reason of infringement of certain claims of United States Patent Nos. 5,329,369 and 6,115,074 ("the '074 patent"). 72 Fed. Reg. 64240 (November 15, 2007). The complaint named numerous respondents. On April 10, 2009, the Commission found a violation of section 337 with respect to the '074 patent. The Commission issued a limited exclusion order and several cease-and-desist orders.

On September 11, 2009, the Commission instituted an enforcement proceeding based on an enforcement complaint filed by Funai, alleging that certain respondents, including TPV USA and Envision, have violated the Commission's limited exclusion order and cease-and-desist orders. *74 Fed. Reg. 46793.*

On December 20, 2010, the Commission terminated the enforcement proceeding based on withdrawal of the complaint by Funai. On December 21, 2010, the Commission modified its limited exclusion order and several cease-and-desist orders based on a decision by the United States Court of Appeals for the Federal Circuit that respondents' so-called "work-around" products do not infringe the '074 patent.

On December 17, 2010, Envision and TPV USA filed a petition to return the bond amounts posted in connection with this investigation. No party opposed this petition. On January 10, 2011, the ALJ issued the subject ID, granting the petition to return the bond posted. No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID.

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 section 210.50 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.50).

By order of the Commission.

/s/
William R. Bishop
Hearings and Meetings Coordinator

Issued: January 31, 2011