

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of)

CERTAIN LIQUID CRYSTAL DISPLAY)
MODULES, PRODUCTS CONTAINING)
SAME, AND METHODS FOR USING)
THE SAME)

Investigation No. 337-TA-634

Notice To The Parties

The Final Initial and Recommended Determinations (ID) were filed on June 12, 2009. Attached are the title page, conclusions of law and the order, which are not confidential and which form a portion of said determinations. For receiving said ID, see Commission rules 210.6 and 210.7. Counsel for complainant, respondents and the staff received a copy of this notice on June 12, 2009.

Paul J. Luckern (RAH)
Paul J. Luckern
Chief Administrative Law Judge

2009 JUN 12 PM 5:07

OFFICE OF THE CLERK
U.S. INTERNATIONAL TRADE COMMISSION

Issued: June 12, 2009

PUBLIC VERSION

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

In the Matter of)

CERTAIN LIQUID CRYSTAL DISPLAY)
MODULES, PRODUCTS CONTAINING)
SAME, AND METHODS FOR USING)
THE SAME)

Investigation No. 337-TA-634

Final Initial and Recommended Determinations

This is the administrative law judge's Final Initial Determination under Commission rule 210.42. The administrative law judge, after a review of the record developed, finds inter alia that there is jurisdiction and that there is a violation of section 337 of the Tariff Act of 1930, as amended.

This is also the administrative law judge's Recommended Determination on remedy and bonding, pursuant to Commission rules 210.36(a) and 210.42(a)(1)(ii). Should the Commission find a violation, the administrative law judge recommends the issuance of a limited exclusion order barring entry into the United States of infringing liquid crystal display modules and products containing respondents' infringing liquid crystal display modules, including respondents' downstream LCD televisions, LCD computer monitors and LCD professional displays as well as the issuance of a cease and desist order. He further recommends that the appropriate Presidential review period bond is 100 percent of entered value.

CONCLUSIONS OF LAW

1. The Commission has in personam and in rem jurisdiction.
2. There has been an importation of accused liquid crystal display modules into the United States which are the subject of the unfair trade allegations.
3. The asserted claims of the '192 patent are infringed.
4. The asserted claims of the '626 patent are infringed.
5. The asserted claims of the '703 patent are infringed.
6. The asserted claims of the '364 patent are infringed.
7. A domestic industry exists with respect to the '192 patent.
8. A domestic industry exists with respect to the '626 patent.
9. A domestic industry exists with respect to the '703 patent.
10. A domestic industry exists with respect to the '364 patent.
11. The priority date of the '364 patent is December 5, 1997.
12. The asserted claims of the '364 patent are not invalid.
13. The asserted claims of the '192 patent are not invalid.
14. The asserted claims of the '626 patent are not invalid.
15. The asserted claims of the '703 patent are not invalid.
16. The '364 patent is enforceable.
17. In the event a violation of Section 337 is found, the evidence shows that the appropriate remedy comprises a limited exclusion order that extends to respondents' downstream LCD televisions,

LCD computer monitors, and LCD professional displays, and a
cease and desist order.

18. The evidence has shown that the appropriate Presidential Review
Period bond is 100% of entered value.

ORDER

Based on the foregoing, and the record as a whole, it is the administrative law judge's Final Initial Determination that there is a violation of section 337 in the importation into the United States, sale for importation, and sale within the United States after importation of infringing liquid crystal display devices and products containing respondents' said devices. It is also the administrative law judge's recommendation, should a violation be found, that a limited exclusion order issue barring entry into the United States of infringing liquid crystal display devices and products containing respondents' infringing liquid crystal display devices, viz. respondents' downstream LCD televisions, LCD computer monitors and LCD professional displays and that a cease and desist order should issue. He further recommends that the appropriate Presidential Review Period bond be 100 percent of the entered value.

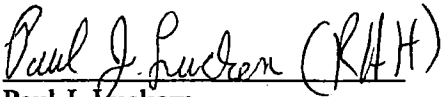
The administrative law judge hereby CERTIFIES to the Commission his Final Initial and Recommended Determinations. The briefs of the parties, filed with the Secretary, are not certified, since they are already in the Commission's possession in accordance with Commission rules.

Further it is ORDERED that:

1. In accordance with Commission rule 210.39, all material heretofore marked in camera because of business, financial and marketing data found by the administrative law judge to be cognizable as confidential business information under Commission rule 201.6(a), is to be given in camera treatment continuing after the date this investigation is terminated.
2. Counsel for the parties shall have in the hands of the administrative law judge those portions of the final initial and recommended determinations which contain bracketed

confidential business information to be deleted from any public version of said determinations, no later than June 26, 2009. Any such bracketed version shall not be served via facsimile on the administrative law judge. If no such bracketed version is received from a party, it will mean that the party has no objection to removing the confidential status, in its entirety, from these initial and recommended determinations.

3. The initial determination portion of the Final Initial and Recommended Determinations, issued pursuant to Commission rules 210.42(a) and 210.42-46, shall become the determination of the Commission, unless the Commission, within that period, shall have ordered its review of certain issues therein or by order has changed the effective date of the initial determination portion. The recommended determination portion, issued pursuant to Commission rule 210.42(a)(1)(ii), will be considered by the Commission in reaching a determination on remedy pursuant to Commission rule 210.50(a).


Paul J. Euckern
Chief Administrative Law Judge

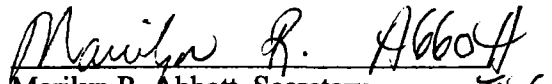
Issued: June 12, 2009

**IN THE MATTER OF CERTAIN LIQUID CRYSTAL
DISPLAY MODULES, PRODUCTS CONTAINING
SAME, AND METHODS FOR USING THE SAME**

Inv. No. 337-TA-634

PUBLIC CERTIFICATE OF SERVICE

I, Marilyn R. Abbott, hereby certify that the attached **Notice To The Parties** has been served by hand upon Commission Investigative Attorney, Bryan F. Moore, Esq., and the following parties as indicated, on June 15, 2009.


Marilyn R. Abbott, Secretary *JRC*
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