

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

**In the Matter of**

**CERTAIN ORGANIC LIGHT-  
EMITTING DIODE DISPLAYS,  
COMPONENTS THEREOF, AND  
PRODUCTS CONTAINING SAME**

**Inv. No. 337-TA-1257**

**NOTICE OF INSTITUTION OF INVESTIGATION**

Institution of Investigation pursuant to 19 U.S.C. 1337

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

**ACTION:** Notice

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on February 19, 2021, under section 337 of the Tariff Act of 1930, as amended, on behalf of Samsung Display Co., Ltd. of Gyeonggi-do, Republic of Korea and Intellectual Keystone Technology LLC of Wilmington, Delaware. A corrected complaint and supplement was filed on March 12, 2021. The complaint, as corrected and supplemented, 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 organic light-emitting diode displays, components thereof, and products containing same by reason of infringement of certain claims of U.S. Patent No. 6,845,016 (“the ’016 patent”); U.S. Patent No. 7,342,177 (“the ’177 patent”); and U.S. Patent No. 7,230,593 (“the ’593 patent”). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute.

The complainants request that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

**ADDRESSES:** The complaint, except for any confidential information contained therein, may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). 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 <https://www.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Katherine Hiner, Office of the Secretary, Docket Services Division, U.S. International Trade Commission, telephone (202) 205-1802.

**SUPPLEMENTARY INFORMATION:**

**AUTHORITY:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission’s Rules of Practice and Procedure, 19 C.F.R. 210.10 (2020).

**SCOPE OF INVESTIGATION:** Having considered the complaint, the U.S. International Trade Commission, on March 22, 2021, 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 products identified in paragraph (2) by reason of infringement of one or more of claims 1, 2, 4-6, 8, 12, and 13 of the ’016 patent; claims 1, 3, and 4 of the ’177 patent; and claims 15-17 and 19 of the ’593 patent; and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission’s Rules of Practice and Procedure, 19 C.F.R. 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is “electroluminescent display panels that comprise organic light-emitting diode (‘OLED’) pixel element for presenting information to a viewer, and display monitor products, smartphone products, and televisions products that incorporate electroluminescent display panels that comprise OLED pixel elements”;

(3) 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 complainants are:

Samsung Display Co., Ltd.  
#1, Samsung-ro, Giheung-gu,  
Yongin-si, Gyeonggi-do, 17113  
Republic of Korea

Intellectual Keystone Technology LLC  
251 Little Falls Drive  
Wilmington, Delaware 19808-1674

(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:

ASUSTeK Computer, Inc.  
15 Li-Te Road, Beitou District

Taipei 112, Taiwan

ASUS Computer International  
48720 Kato Road  
Fremont, California 94538

JOLED Inc.  
Metlife Building 10F  
Kandanishiki-cho 3-23, Chiyoda-ku  
Tokyo, Japan, 101-0054

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

The Office of Unfair Import Investigations will not be named as a party to this investigation.

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(e) and 210.13(a), as amended in 85 Fed. Reg. 15798 (March 19, 2020), such responses will be considered by the Commission if received not later than 20 days after the date of service by the complainants 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.



Lisa R. Barton  
Secretary to the Commission

Issued: March 22, 2021

**CERTAIN ORGANIC LIGHT-EMITTING DIODE  
DISPLAYS, COMPONENTS THEREOF, AND PRODUCTS  
CONTAINING SAME**

**Inv. No. 337-TA-1257**

Certificate of Service – Page 1

I, Lisa R. Barton, hereby certify that the attached **INSTITUTION OF INVESTIGATION** has been served upon the following parties as indicated, on **March 22, 2021**.



Lisa R. Barton, Secretary  
U.S. International Trade Commission  
500 E Street, SW, Room 112  
Washington, DC 20436

**Complainants:**

Samsung Display Co., Ltd.  
#1, Samsung-ro, Giheung-gu,  
Yongin-si, Gyeonggi-do, 17113  
Republic of Korea

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Email Notification of Availability for Download

Intellectual Keystone Technology LLC  
251 Little Falls Drive,  
Wilmington, Delaware 19808-1674

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Email Notification of Availability for Download

**On Behalf of Complainants:**

Sturgis M. Sobin, Esq.  
**Covington & Burling LLP**  
One CityCenter  
850 Tenth Street, N.W.  
Washington, DC 20001  
Email: [ssobin@cov.com](mailto:ssobin@cov.com)

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Email Notification of Availability for Download

**Respondents:**

ASUSTeK Computer, Inc.  
15 Li-Te Road, Beitou District Taipei  
112, Taiwan

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Service to Be Completed by Complainants

**CERTAIN ORGANIC LIGHT-EMITTING DIODE  
DISPLAYS, COMPONENTS THEREOF, AND PRODUCTS  
CONTAINING SAME**

**Inv. No. 337-TA-1257**

Certificate of Service – Page 2

ASUS Computer International  
48720 Kato Road  
Fremont, CA 94538

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Service to Be Completed by Complainants

JOLED Inc.  
Metlife Building 10F  
Kandanishiki-cho 3-23, Chiyoda-ku  
Tokyo, Japan, 101-0054

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Service to Be Completed by Complainants

**Embassy:**

Embassy of Japan  
2520 Massachusetts Avenue, NW  
Washington, DC 20008

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Service to Be Completed by Complainants

**Taipei Economic and Cultural Representative Office:**

Taipei Economics & Cultural Representative  
Office of the United States  
4201 Wisconsin Avenue, NW, Suite 420  
Washington DC 20016

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Service to Be Completed by Complainants

**Government Agencies:**

Lynda Marshall  
International Section, Antitrust Division  
U.S. Department of Justice  
450 5th Street NW, Room 11000  
Washington, DC 20530

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- Via Express Delivery
- Via First Class Mail
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U.S. Bureau of Customs and Border Protection  
Intellectual Property Rights Branch  
Mint Annex Building  
799 9<sup>th</sup> Street, NW, 7<sup>th</sup> floor  
Washington, DC 20229

- Via Hand Delivery
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- Via First Class Mail
- Other: Email Notification

**CERTAIN ORGANIC LIGHT-EMITTING DIODE  
DISPLAYS, COMPONENTS THEREOF, AND PRODUCTS  
CONTAINING SAME**

**Inv. No. 337-TA-1257**

Certificate of Service – Page 3

Elizabeth Kraus, Deputy Director  
International Antitrust, Office of International Affairs  
Federal Trade Commission  
600 Pennsylvania Avenue, NW, Room 498  
Washington, DC 20580

Dale D. Berkley, Ph.D., J.D.  
Office of the General Counsel, PHD, NIH Branch  
National Institutes of Health  
31 Center Drive  
Bldg. 31, Rm. 47  
Bethesda, MD 20892

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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

March 22, 2021

Sturgis M. Sobin, Esq.  
Covington & Burling LLP  
One CityCenter, 850 Tenth St., NW  
Washington, DC 20001

**Re: Certain Organic Light-Emitting Diode Displays, Components Thereof, and  
Products Containing Same; Inv. No. 337-TA-1257**

Dear Sturgis M. Sobin:

This letter is to advise you that the U.S. International Trade Commission has instituted an investigation pursuant to section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Commission's notice of investigation is enclosed. Also enclosed is the Section 337 Mediation Program brochure. After reviewing the brochure, please sign and return the enclosed certification of receipt.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa R. Barton".

Lisa R. Barton  
Secretary

Enclosures:

1. Notice of Investigation
2. Publication Regarding the Section 337 Mediation Program
3. Certification of Receipt of Mediation Materials



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

March 22, 2021

Samsung Display Co., Ltd.  
#1, Samsung-ro, Giheung-gu  
Yongin-si Gyeonggi-do, 17113  
South Korea

**Re: Certain Organic Light-Emitting Diode Displays, Components Thereof, and  
Products Containing Same; Inv. No. 337-TA-1257**

Dear Sir/Madam:

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Lisa R. Barton  
Secretary

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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

March 22, 2021

Intellectual Keystone Technology LLC  
251 Little Falls Drive  
Wilmington, DE 19808-1674

**Re: Certain Organic Light-Emitting Diode Displays, Components Thereof, and  
Products Containing Same; Inv. No. 337-TA-1257**

Dear Sir/Madam:

This letter is to advise you that the U.S. International Trade Commission has instituted an investigation pursuant to section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Commission's notice of investigation is enclosed. Also enclosed is the Section 337 Mediation Program brochure. After reviewing the brochure, please sign and return the enclosed certification of receipt.

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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

March 22, 2021

ASUSTek Computer Inc.  
15 Li-Te Road Beitou District  
Taipei, 112  
Taiwan

**Re: Certain Organic Light-Emitting Diode Displays, Components Thereof, and Products Containing Same; Inv. No. 337-TA-1257**

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). **ASUSTek Computer Inc.** is a named respondent in this investigation.

We are hereby serving you with a copy of the Complaint and the Notice of Investigation issued in this matter. Enclosed is a copy of the Code of Federal Regulations. Also enclosed is a the Section 337 Mediation Program brochure. After reviewing this brochure, please sign and return the enclosed certification of receipt.

Please note that the Notice requires a response to the allegations in the Complaint and the response must be received not later than twenty (20) days after the date of service of the Complaint. Failure to file a response may result in inferences being drawn against your interests.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa R. Barton".

Lisa R. Barton  
Secretary

Enclosures:

1. Complaint
2. Notice of Investigation
3. Code of Federal Regulation
4. Publication Regarding the Section 337 Mediation Program
5. Certification of Receipt of Mediation Materials



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

March 22, 2021

ASUS Computer International  
48720 Kato Road  
Fremont, CA 94538

**Re: Certain Organic Light-Emitting Diode Displays, Components Thereof, and Products Containing Same; Inv. No. 337-TA-1257**

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). **Asus Computer International** is a named respondent in this investigation.

We are hereby serving you with a copy of the Complaint and the Notice of Investigation issued in this matter. Enclosed is a copy of the Code of Federal Regulations. Also enclosed is a the Section 337 Mediation Program brochure. After reviewing this brochure, please sign and return the enclosed certification of receipt.

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Lisa R. Barton  
Secretary

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2. Notice of Investigation
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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

March 22, 2021

JOLED Inc.  
Metlife Building 10F Kandanishiki-cho 3-23  
Chiyoda-ku  
Tokyo, Japan 101-0054

**Re: Certain Organic Light-Emitting Diode Displays, Components Thereof, and Products Containing Same; Inv. No. 337-TA-1257**

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). **JOLED Inc.** is a named respondent in this investigation.

We are hereby serving you with a copy of the Complaint and the Notice of Investigation issued in this matter. Enclosed is a copy of the Code of Federal Regulations. Also enclosed is a the Section 337 Mediation Program brochure. After reviewing this brochure, please sign and return the enclosed certification of receipt.

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Lisa R. Barton  
Secretary

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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

March 22, 2021

Embassy of Japan  
2520 Massachusetts Avenue, NW  
Washington, DC 20008

**Re: Certain Organic Light-Emitting Diode Displays, Components Thereof, and  
Products Containing Same; Inv. No. 337-TA-1257**

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). One or more of the parties named in the investigation is located in Japan.

Pursuant to Commission Rule 210.11(a) (3), we are hereby serving you with a copy of the Complaint filed in this investigation together with a copy of the Commission's Notice of Investigation.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa R. Barton".

Lisa R. Barton  
Secretary

Enclosures:

1. Complaint
2. Notice of Investigation

March 22, 2021

**Taipei Economic & Cultural Representative Office  
4201 Wisconsin Avenue, NW  
Washington, DC 20016**

**Re: Certain Organic Light-Emitting Diode Displays, Components Thereof, and  
Products Containing Same; Inv. No. 337-TA-1257**

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). One or more of the parties named in the investigation is located in **Taiwan**.

Pursuant to Commission Rule 210.11(a) (3), we are hereby serving you with a copy of the Complaint filed in this investigation together with a copy of the Commission's Notice of Investigation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', written in a cursive style.

Lisa R. Barton

Enclosures:

1. Complaint
2. Notice of Investigation

cc: American Institute in Taiwan, via electronic mail



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

March 22, 2021

Lynda Marshall  
International Section  
Antitrust Division  
U.S. Dept of Justice  
450 5th Street NW, Room 11000  
Washington, DC 20530

**Re: Certain Organic Light-Emitting Diode Displays, Components Thereof, and  
Products Containing Same  
Inv. No. 337-TA-1257**

Dear Ms. Marshall:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to Docket Services at (202) 205-1802.

If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa R. Barton".

Lisa R. Barton  
Secretary

Enclosure:

1. Notice of Investigation



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

March 22, 2021

Intellectual Property Rights Branch  
Regulations and Rulings  
Office of International Trade  
U.S. Customs and Border Protection  
90 K Street, NE, 10th floor  
Washington, DC 20229-1177

**Re: Certain Organic Light-Emitting Diode Displays, Components Thereof, and  
Products Containing Same  
Inv. No. 337-TA-1257**

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to Docket Services at (202) 205-1802.

If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa R. Barton".

Lisa R. Barton  
Secretary

Enclosure:

1. Notice of Investigation





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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

March 22, 2021

Elizabeth Kraus, Deputy Director  
International Antitrust, Office of  
International Affairs  
Federal Trade Commission  
600 Pennsylvania Avenue, Room 498  
Washington, DC 20580

**Re: Certain Organic Light-Emitting Diode Displays, Components Thereof, and  
Products Containing Same  
Inv. No. 337-TA-1257**

Dear Ms. Kraus:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to Docket Services at (202) 205-1802.

If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa R. Barton".

Lisa R. Barton  
Secretary

Enclosure:

1. Notice of Investigation



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

March 22, 2021

Dale D. Berkley, Ph.D., J.D.  
Office of the General Counsel, PHD, NIH Branch  
National Institutes of Health  
31 Center Drive  
Bldg. 31, Rm. 47  
Bethesda, MD 20892

**Re: Certain Organic Light-Emitting Diode Displays, Components Thereof, and  
Products Containing Same  
Inv. No. 337-TA-1257**

Dear Mr. Berkley:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to Docket Services at (202) 205-1802.

If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa R. Barton".

Lisa R. Barton  
Secretary

Enclosure:

1. Notice of Investigation