

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN DIGITAL TELEVISIONS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-789

**ORDER NO. 5: INITIAL DETERMINATION SETTING TARGET DATE; ORDER
SETTING DATE FOR SUBMISSION OF PROPOSED
PROCEDURAL SCHEDULE**

(August 2, 2011)

Target Date

Pursuant to Commission Rule 210.51(a), a target date for completion of the Investigation in the above-captioned matter must be set. The Notice of Investigation was published on July 19, 2011. 76 Fed. Reg. 42,728-729 (July 19, 2011). Complainant, Respondent MStar Semiconductor, Inc., and the Commission Investigative Staff¹ submit that a sixteen-month target date is appropriate. Respondents Coby Electronics Corporation; Curtis International, Ltd.; Renesas Electronics Corporation; Renesas Electronics America, Inc.; Westinghouse Digital, LLC; and On Corp US, Inc. believe an eighteen-month target date is proper.² Due to the complexity of the asserted technology, the large number of respondents, and the number of claims at issue, the undersigned believes a target date of eighteen months is warranted. Accordingly, a target date of January 21, 2013 is hereby set for this Investigation.

¹ The Commission Investigative Staff states that "due to courtroom availability issues, even a 16-month target date may not be practical." (Staff Discovery Statement at 3.)

² Neither Respondent E&S International Enterprises, Inc. nor Respondent Sceptre, Inc. submitted a discovery statement.

Proposed Procedural Schedule(s)

Proposed procedural schedule(s) should be received by the undersigned no later than close of business on August 8, 2011. Said proposed procedural schedule should include dates for each of the events set forth in Ground Rule 2. Given the complexity of the technology, the undersigned believes that a *Markman* hearing will be beneficial and assist in streamlining the issues for the evidentiary hearing. The undersigned therefore requests that the parties include in the proposed procedural schedule dates for the following events:

Exchange of initial expert reports on claim construction issues
Exchange of rebuttal expert reports on claim construction issues
Meet and confer to discuss and limit number of disputed claim terms
Initial <i>Markman</i> briefs - Complainant and Respondents
Initial <i>Markman</i> brief - Staff
Rebuttal <i>Markman</i> briefs - Complainant and Respondents
Rebuttal <i>Markman</i> brief - Staff
Submission of joint proposed claim construction chart
Submission of updated joint proposed claim construction chart
Proposed issuance of claim construction order

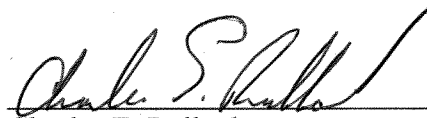
Based on a review of the undersigned's current caseload, the undersigned anticipates the tutorial will be held on January 10, 2012, the *Markman* hearing on January 10-11, 2012, and the hearing to begin on June 25, 2012. The parties shall take these dates into consideration when proposing their procedural schedule.

The proposed schedule includes dates for three settlement meetings (which will not include the Administrative Law Judge) at a time, date, and location of the parties' choosing for

the exploration of settlement, by persons of requisite authority, of some or all of the issues in the case. Unless the parties obtain the permission of the undersigned, for good cause shown, the settlement meetings should not occur by video-conferencing or by teleconferencing. The first one of these dates should be relatively early in the Investigation, the second should be approximately midway through the period for discovery, while the last should be set for the period between the close of discovery and before the commencement of the hearing. The parties should also include dates in the proposed schedule for filing the joint settlement conference reports.

The parties should make intensive good faith efforts to agree to a procedural schedule. It is expected that in most instances the parties should be able to submit a joint proposal on this matter.

SO ORDERED.

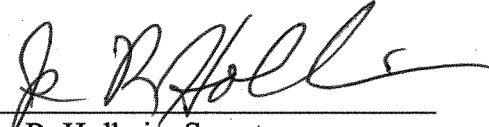


Charles E. Bullock
Administrative Law Judge

**IN THE MATTER OF CERTAIN DIGITAL TELEVISIONS AND 337-TA-789
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CERTIFICATE OF SERVICE

I, James R. Holbein, hereby certify that the attached **ORDER NO. 5 / INITIAL DETERMINATION** has been served upon, **David Lloyd, Esq.**, Commission Investigative Attorney, and the following parties via first class mail and air mail where necessary on August 2, 2011.


James R. Holbein, Secretary
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COMPONENTS THEREOF**

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**FOR RESPONDENTS RENESAS ELECTRONICS CORP. & RENESAS ELECTRONICS
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**IN THE MATTER OF CERTAIN DIGITAL TELEVISIONS AND 337-TA-789
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