

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

In the Matter of

**CERTAIN DEVICES FOR IMPROVING
UNIFORMITY USED IN A BACKLIGHT
MODULE AND COMPONENTS
THEREOF AND PRODUCTS
CONTAINING THE SAME**

Inv. No. 337-TA-805

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 August 10, 2011, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Industrial Technology Research Institute of Taiwan and ITRI International Inc. of San Jose, California. A letter supplementing the complaint was filed on August 22, 2011. The complaint 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 devices for improving uniformity used in a backlight module and components thereof and products containing the same by reason of infringement of certain claims of U.S. Patent No. 6,883,932 ("the '932 patent"). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue an exclusion order 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: The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

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 (2011).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on September 8, 2011, 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 devices for improving uniformity used in a backlight module and components thereof and products containing the same that infringe one or more of claims 6, 9, and 10 of the '932 patent, 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 complainants are:

Industrial Technology Research Institute
195, Sec. 4, Chung Hsing Road
Chutung, Hsinchu
Taiwan 31040

ITRI International Inc.
2880 Zanker Road, Suite 109
San Jose, CA 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:

LG Corporation
LG Twin Towers
20 Yeouido-dong
Yeongdeungpo-gu
Seoul, 150-721
South Korea

LG Electronics, Inc.
LG Twin Towers
20 Yeouido-dong
Yeongdeungpo-gu

Seoul 150-721
South Korea

LG Electronics, U.S.A., Inc.
1000 Sylvan Avenue
Englewood Cliffs, NJ 07632

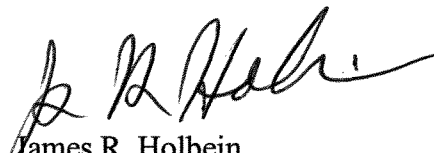
(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

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



James R. Holbein
Secretary to the Commission

Issued: September 8, 2011

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

CERTAIN DEVICES FOR IMPROVING
UNIFORMITY USED IN A BACKLIGHT
MODULE AND COMPONENTS
THEREOF AND PRODUCTS
CONTAINING THE SAME

Inv. No. 337-TA-805

DESIGNATION OF OUII ATTORNEY
FOR SERVICE OF PROCESS

The Office of Unfair Import Investigations ("OUII") hereby designates Vu Bui, Esq., (202) 205-2582, Vu.Bui@usitc.gov, as OUII's lead attorney for service of process. It is requested that all documents served by the Commission or filed by the parties in the above-referenced investigation be served upon this attorney.

Respectfully submitted,

 DL

Lynn I. Levine, Director


OFFICE OF UNFAIR IMPORT INVESTIGATIONS
U.S. International Trade Commission
500 E Street, S.W., Suite 401
Washington, D.C. 20436
(202) 205-2560
(202) 205-2158 (facsimile)

September 8, 2011

**CERTAIN DEVICES FOR IMPROVING UNIFORMITY USED 337-TA-805
IN A BACKLIGHT MODULE AND PRODUCTS
CONTAINING THE SAME**

CERTIFICATE OF SERVICE

I, James R. Holbein, hereby certify that the attached **NOTICE OF INVESTIGATION** has been served by hand upon the Commission Investigative Attorney, Vu Bui, Esq., and the following parties as indicated, on September 9, 2011


James R. Holbein, Secretary
U.S. International Trade Commission
500 E Street, SW
Washington, DC 20436

Complainants:

Industrial Technology Research Institute
195, Sec. 4, Chung Hsing Rd., Chutung, Hsinchu
Taiwan 31040

Via Hand Delivery
 Via Overnight Mail
 Via First Class Mail
 INTERNATIONAL

ITRI International Inc.
2880 Zanker Road, Suite 109
San Jose, CA 95134

Via Hand Delivery
 Via Overnight Mail
 Via First Class Mail
 Other: _____

On Behalf of Complainants:

Tom M. Schaumberg, Esq.
ADDUCI, MASTRIANI & SCHAUMBERG, LLP
1200 Seventeenth Street, NW, Fifth Floor
Washington, D.C. 20036

Via Hand Delivery
 Via Overnight Mail
 Via First Class Mail
 Other: _____

Respondents:

LG Corporation
LG Twin Towers
20 Yeouido-dong, Yeongdeungpo-gu
Seoul, 150-721, South Korea

Via Hand Delivery
 Via Overnight Mail
 Via First Class Mail
 INTERNATIONAL

LG Electronics, Inc.
LG Twin Towers
20 Yeouido-dong, Yeongdeungpo-gu
Seoul, 150-721, South Korea

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- INTERNATIONAL

LG Electronics, U.S.A., Inc.
1000 Sylvan Avenue
Englewood Cliffs, NJ 07632

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____

Embassy:

Embassy of The Republic of Korea
2450 Massachusetts Avenue, NW
Washington, DC 20008

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____

Government Agencies:

Edward T. Hand, Chief
Foreign Commerce Section
Antitrust Division
U.S. Department of Justice
450 5th Street NW, Room 11000
Washington, DC 20530

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____

U.S. Bureau of Customs and Border Protection
Intellectual Property Rights Branch
Mint Annex Building
799 9th Street, NW, 7th floor
Washington, DC 20229-1177

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____

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

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____

Richard Lambert, Esq.
Office of Technology Development Services
Dept. of Health & Human Services
National Institutes of Health
6610 Rockledge Drive, Room 2800, MSC 6606
Bethesda, MD 20892

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

September 9, 2011

Tom M. Schaumberg
Adduci, Mastriani, & Schaumberg LLP
1200 Seventeenth Street, NW Fifth Floor
Washington, DC 20036

**Re: Certain Devices for Improving Uniformity Used in a Backlight Module and
Components Thereof and Products Containing the Same
Inv. No. 337-TA-805**

Dear Tom M. Schaumberg:

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 "J. R. Holbein".

James R. Holbein
Secretary

Enclosures:

1. Notice of Investigation
2. Publication No. 4198 Regarding the Section 337 Mediation Program
3. Certification of Receipt of Mediation Materials



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

September 9, 2011

ITRI International Inc.
2880 Zanker Road Suite 109
San Jose, CA 95134

**Re: Certain Devices for Improving Uniformity Used in a Backlight Module and
Components Thereof and Products Containing the Same
Inv. No. 337-TA-805**

Dear Sir/Madam:

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James R. Holbein
Secretary

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UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

September 9, 2011

Industrial Technology Research Institute
195, Sec. 4, Chung Hsing Road., Chutung
Hsinchu, Taiwan 31040

**Re: ~~Certain Devices for Improving Uniformity Used in a Backlight Module and
Components Thereof and Products Containing the Same~~
Inv. No. 337-TA-805**

Dear Sir/Madam:

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UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

September 9, 2011

LG Electronics USA Inc.
1000 Sylvan Ave.
Englewood Cliffs, NJ 07632

**Re: Certain Devices for Improving Uniformity Used in a Backlight Module and
Components Thereof and Products Containing the Same
Inv. No. 337-TA-805**

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). **LG Electronics USA 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 "J. R. Holbein", written over a horizontal line.

James R. Holbein

Secretary

Enclosures:

1. Complaint
2. Notice of Investigation
3. Code of Federal Regulation
4. Publication No. 4198 Regarding the Section 337 Mediation Program
5. Certification of Receipt of Mediation Materials



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

September 9, 2011

LG Electronics Inc.
LG Twin Towers
20 Yeouido-dong, Yeongdeungpo-gu
Seoul, 150-721 South Korea

**Re: Certain Devices for Improving Uniformity Used in a Backlight Module and
Components Thereof and Products Containing the Same
Inv. No. 337-TA-805**

Dear Sir/Madam:

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Secretary

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2. Notice of Investigation
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UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

September 9, 2011

LG Corporation
LG Twin Towers
20 Yeouido-dong, Yeongdeungpo-gu
Seoul, 150-721 South Korea

**Re: Certain Devices for Improving Uniformity Used in a Backlight Module and
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Inv. No. 337-TA-805**


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James R. Holbein
Secretary

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2. Notice of Investigation
3. Code of Federal Regulation
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5. Certification of Receipt of Mediation Materials



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

September 9, 2011

Embassy of the Republic of Korea
2450 Massachusetts Avenue, NW
Washington, DC 20008

**Re: Certain Devices for Improving Uniformity Used in a Backlight Module and
Components Thereof and Products Containing the Same
Inv. No. 337-TA-805**

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 **Korea**.

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 "J.R. Holbein".

James R. Holbein
Secretary

Enclosures:

1. Complaint
2. Notice of Investigation



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

September 9, 2011

Richard Lambert, Esq.
Office of Technology Development Services
Dept. of Health and Human Services
National Institutes of Health
6610 Rockledge Drive, Room 2800, MSC 6606
Bethesda, Maryland 20892

**Re: Certain Devices for Improving Uniformity Used in a Backlight Module and
Components Thereof and Products Containing the Same
Inv. No. 337-TA-805**

Dear Mr. Lambert, Esq.:

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 Case Manager Dara Denson, Esq. at (202) 205-2663.

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 "J R Holbein".

James R. Holbein
Secretary

Enclosure:

1. Notice of Investigation



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

September 9, 2011

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

**Re: Certain Devices for Improving Uniformity Used in a Backlight Module and
Components Thereof and Products Containing the Same
Inv. No. 337-TA-805**

Dear Ms. Kraus:

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James R. Holbein
Secretary

Enclosure:

1. Notice of Investigation



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

September 9, 2011

U.S. Bureau of Customs and Border Protection
Intellectual Property Rights Branch
Mint Annex Building
799 9th Street, NW, 7th Floor
Washington, DC 20229-1177

**Re: Certain Devices for Improving Uniformity Used in a Backlight Module and
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Inv. No. 337-TA-805**

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James R. Holbein
Secretary

Enclosure:

1. Notice of Investigation



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

September 9, 2011

Edward T. Hand, Chief
Foreign Commerce Section
Antitrust Division
U.S. Dept of Justice
450 5th Street NW, Room 11000
Washington, DC 20530

**Re: Certain Devices for Improving Uniformity Used in a Backlight Module and
Components Thereof and Products Containing the Same
Inv. No. 337-TA-805**

Dear Mr. Hand:

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 Case Manager Dara Denson, Esq. at (202) 205-2663.

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,

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James R. Holbein
Secretary

Enclosure:

1. Notice of Investigation