

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN LIQUID CRYSTAL DISPLAY
DEVICES, INCLUDING MONITORS,
TELEVISIONS, AND MODULES, AND
COMPONENTS THEREOF**

Inv. No. 337-TA-741

**ORDER NO. 7: INITIAL DETERMINATION CONSOLIDATING
INVESTIGATION NOS. 337-TA-741 & 337-TA-749 & EXTENDING
THE TARGET DATE FOR INVESTIGATION NO. 337-TA-741**

(December 16, 2010)

On December 16, 2010, an initial pre-hearing conference was held in Investigation No. 337-TA-749. At my direction, counsel for all of the parties in Investigation Nos. 337-TA-741 and 337-TA-749 were in attendance. I raised the issue of consolidating Investigation Nos. 337-TA-741 and 337-TA-749 due to the significant overlap between the investigations. All of the parties indicated that they support consolidation of the two investigations. The parties further indicated that they support the proposal of using the procedural schedule created for Investigation No. 337-TA-749 for the consolidated investigation.

Commission Rule 201.7(a) provides the authority to the Commission to consolidate investigations:

In order to expedite the performance of its functions, the Commission may engage in investigative activities preliminary to and in aid of any authorized investigation, consolidate proceedings before it, and determine the scope and manner of its proceedings.

19 CFR § 201.7(a) (2009).

I find that consolidation of the two investigations will conserve the resources of both the parties and the Commission. The two investigations involve the same complainants, the same Administrative Law Judge, and the same Staff Attorney. All of the patents asserted in the 749 investigation are also asserted in the 741 investigation. Thus, the two investigations will contain many overlapping legal issues, such as claim construction, domestic industry, invalidity, and unenforceability. For the sake of efficiency and fairness to all parties involved, I find that it is most appropriate to consider all of these common legal issues in one consolidated investigation instead of two separate investigations. *See Certain 3G Mobile Handsets & Components*, Inv. No. 337-TA-613, Order No. 5 (Oct. 24, 2007) (consolidating investigations after finding that the respondents in the later-filed investigation would face “significant prejudice” if the investigations were not consolidated); *Certain Integrated Repeaters, Switches, Transceivers, & Products Containing Same*, Inv. No. 337-TA-435, Order No. 3 (Aug. 24, 2000) (consolidating two investigations that had numerous areas of overlap).

ORDER

Accordingly, it is my Initial Determination that Investigation Nos. 337-TA-741 and 337-TA-749 shall be consolidated and that the target date for Investigation No. 337-TA-741 is hereby extended to March 29, 2012 to coincide with the target date for Investigation No. 337-TA-749. The due date for the Initial Determination for Investigation No. 337-TA-741 is hereby extended to November 29, 2011, to coincide with the date set in Investigation No. 337-TA-749. The lead case for the consolidated investigation will be investigation No. 337-TA-749.

This Initial Determination, along with supporting documentation, is hereby certified to the Commission. Pursuant to 19 C.F.R. § 210.42(h), this Initial Determination shall become the determination of the Commission unless a party files a petition for review of the Initial

Determination pursuant to 19 C.F.R. § 210.43(a), or the Commission, pursuant to 19 C.F.R. § 210.44, orders, on its own motion, a review of the Initial Determination or certain issues herein.

SO ORDERED.



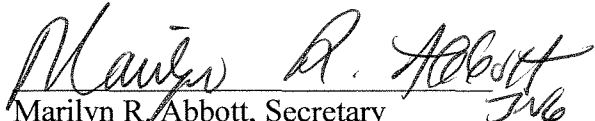
Robert K. Rogers, Jr.
Administrative Law Judge

**CERTAIN LIQUID CRYSTAL DISPLAY
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Inv. No. 337-TA-741

PUBLIC CERTIFICATE OF SERVICE

I, Marilyn R. Abbott, hereby certify that the attached **ORDER** was served upon **Daniel L. Girdwood, Esq.**, Commission Investigative Attorney, and the following parties via first class mail delivery on December 16, 2010



Marilyn R. Abbott, Secretary
U.S. International Trade Commission
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Washington, D.C. 20436

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PUBLIC CERTIFICATE OF SERVICE PAGE 2

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