

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

In the Matter of

CERTAIN FLAT PANEL DISPLAY
DEVICES, AND PRODUCTS CONTAINING
THE SAME

Complaint

No. 337-TA-_____

**COMPLAINT OF AU OPTRONICS CORPORATION AND AU OPTRONICS
CORPORATION AMERICA UNDER SECTION 337 OF THE TARIFF ACT OF 1930,
AS AMENDED**

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3.	U.S. Patent No. 7,286,192
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I. INTRODUCTION

1.1 Complainants AU Optronics Corporation and AU Optronics Corporation America ("AUO" or "Complainants") request that the United States International Trade Commission commence an Investigation pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 ("Section 337"), to remedy the unlawful importation into the United States, sale for importation into the United States, and/or sale within the United States after importation by the owner, importer, or consignee, of certain flat panel display devices and products containing the same that infringe valid and enforceable United States patents owned by AUO.

1.2 The proposed respondents are Samsung Electronics Co., Ltd., Samsung Electronics America, Inc. (collectively, "Samsung"), AT&T, Inc.; Best Buy Co., Inc.; and BrandsMart USA, Inc. (collectively, "Respondents" or "Proposed Respondents").

1.3 Upon information and belief, Respondents have engaged in unfair acts in violation of Section 337 through and in connection with the unlicensed importation into the United States, sale for importation into the United States, and/or sale within the United States after importation of accused flat panel display products that infringe one or more claims of United States Patents Nos. 6,281,955; 7,697,093; 7,286,192; 7,663,729; 6,818,967; and 7,199,854 (collectively, the "AUO Patents").

1.4 Specifically, AUO asserts the accused products infringe at least claims 1-16 of U.S. Pat. No. 6,281,955; claims 5, 6, 8, 15 and 33 of U.S. Pat. No. 7,697,093; claims 1, 2, 5 and 9 of U.S. Pat. No. 7,286,192; claims 1 and 2 of U.S. Pat. No. 6,818,967; claims 1, 4, 6, 9, 10 and 14 of U.S. Pat. No. 7,199,854; and claims 1-10 of U.S. Pat. No. 7,663,729 (collectively, the "Asserted Claims"). AUO reserves the right to assert additional claims as discovery proceeds

and AUO obtains additional information indicating that other claims of the AUO Patents are infringed by any Respondent.¹

1.5 Certified copies of United States Patents Nos. 6,281,955; 7,697,093; 7,286,192; 7,663,729; 6,818,967; and 7,199,854 are attached to this Complaint as **Exhibits 1-6** respectively. AU Optronics Corporation and AU Optronics Corporation America, either jointly or individually, own by assignment the entire right, title, and interest in and to these patents. Certified copies of the recorded assignments for the above listed AUO Patents accompany this Complaint as **Exhibits 7-12**, respectively.

1.6 As required by Section 337(a)(2) and defined by Section 337(a)(3), an industry in the United States exists, and/or is in the process of being established, relating to products covered by the AUO Patents, including substantial investments in technical support, repair, and customer service in the United States to consumers of AUO's flat panel display products, as well as AUO's substantial investment in the United States in the exploitation of the AUO patents through research and development.

1.7 AUO seeks a permanent exclusion order, pursuant to Section 337(d), excluding from entry into the United States all of the accused imported flat panel display devices, components thereof, and products containing the same that infringe one or more of the asserted claims of AUO's United States Patents Nos. 6,281,955; 7,697,093; 7,286,192; 7,663,729; 6,818,967; and 7,199,854. AUO also seeks permanent cease and desist orders, pursuant to Section 337(f), directing Respondents to cease and desist from importation, marketing,

¹ Moreover, AUO will conduct discovery concerning the identity of any and all entities engaged in unlicensed importation into the United States, sale for importation into the United States, and/or sale within the United States after importation of any flat panel display products that infringe the Patents-in-Suit.

advertising, demonstrating, warehousing inventory for distribution, sale, offer for sale, and use of such accused flat panel display devices, components thereof, and products containing the same in the United States.

II. COMPLAINANTS

2.1 AU Optronics Corporation is a multi-national corporation organized under the laws of the Taiwan, with its principal place of business at No 1 Li-Hsin Road 2, Hsinchu Science Park, Hsinchu 30078, Taiwan. AU Optronics Corporation America is a California corporation with its principal place of business at 1525 McCarthy Blvd. Suite 216, Milpitas, CA 95035.

2.2 Collectively, AUO provides consumers with a full range of LCD panel sizes and comprehensive applications, offering thin film transistor LCD ("TFT-LCD") panels in sizes ranging from 1.2 inches to greater than 71 inches. In 2006, AUO mass produced the world's first Active Matrix OLED ("AMOLED") cell phone display. As one of the leading TFT-LCD and AMOLED manufacturers, AUO is a technology innovator with strong emphasis on research and development in the area of display technologies. In 2004, IFI Claims Patents Service placed AUO as the 5th fastest growing patent applicant in the United States with a 98% annual increase. In 2009, AUO was included in the 2009/2010 Ocean Tomo 300® Patent Index in recognition of its achievements and constant dedication to innovation and patent development. Additional information concerning AUO may be obtained from its website, www.auo.com.

III. PROPOSED RESPONDENTS

3.1 On information and belief, proposed Respondent Samsung Electronics Co., Ltd. is a Korean corporation with its principal place of business at Samsung Electronics Bldg., 1320-10, Seocho 2-dong, Seocho-gu, Seoul, Korea 137-857. Upon information and belief, and as indicated by Samsung's own marketing materials, Samsung (or others on its behalf)

manufactures the accused products in Korea, and then imports them into the United States, sells them for importation into the United States, and/or sells them after importation into the United States. An overview of Samsung found on its website is attached as **Exhibit 13**.

3.2 On information and belief, proposed Respondent Samsung Electronics America, Inc. is a New York corporation and wholly-owned subsidiary of Samsung Electronics Co., Ltd. with its principal place of business at 105 Challenger Road, Ridgefield Park, NJ 07660.

3.3 On information and belief, proposed Respondent AT&T, Inc. is a Delaware corporation with its principal place of business at 208 South Akard Street, Dallas, TX 75202-4206.

3.4 On information and belief, Best Buy Co., Inc. is a Minnesota corporation with its principal place of business at 7601 Penn Avenue South, Richfield, MN, 55423.

3.5 On information and belief, BrandsMart USA, Inc. is a Florida corporation with its principal place of business at 3200 SW 42nd Street, Hollywood, Florida 33312.

IV. THE TECHNOLOGY AND PRODUCTS AT ISSUE

4.1 The technology at issue pertains to Flat Panel Displays. Flat Panel Displays are used in numerous applications, including televisions, computer monitors, laptop computers, mobile phones, and tablet devices. The accused products and the AUO products that practice the patents-in-suit include both Liquid Crystal Display ("LCD") devices and Organic Light-Emitting Diode ("OLED") devices, and products containing the same. An LCD device displays images on a screen utilizing a material called a "liquid crystal." By applying an electrical voltage to the liquid crystal, the amount of light from a backlight that passes through the device can be changed. By applying different voltages to different rectangular elements of the display known

as “pixels,” an image is formed. An OLED device contains a film of organic compound that emits light when an electric current is passed through it. By passing different levels of current through the organic material in each pixel of the display, an image is formed.

4.2 The AUO Patents asserted in this Complaint are directed towards various aspects of Flat Panel Display technology, including: 1) techniques for increasing the range of viewing angles at which an LCD device produces an accurate image (U.S. Pats. No. 6,281,955; 7,697,093; and 7,286,192); 2) techniques for forming low-temperature poly-silicon thin film transistors used in OLED devices (U.S. Pat. No. 6,818,967); 3) techniques for arranging photo spacers in flat panel displays (U.S. Pat. No. 7,663,729); and 4) structures for efficiently providing grounding apparatus for a printed circuit board in an LCD (U.S. Pat. No. 7,199,854).

4.3 AUO has developed several products that incorporate the claimed Flat Panel Display technology. Examples include: AUO smartphone module model H43VL02, AUO monitor module model B156XW02, AUO monitor module model M215HW01, AUO television module model T370HW03, AUO television module model T460HW07, and AUO television module model T546HW04.

4.4 The advantages of AUO’s patented technologies are recognized in the Flat Panel Display industry. For example, the Proposed Respondents are selling, offering for sale, intending to import imminently, and/or importing products that use the inventions disclosed in the AUO Patents asserted in this Complaint and used in AUO’s products.

4.5 Proposed Respondents sell, offer for sale, and import at least three products that infringe the asserted claims of the AUO Patents. The accused Samsung products include the Samsung 46” LCD television model LN46C630K1F; Samsung AT&T Captivate Smartphone

model SGH-I897; and the Samsung 10.1" laptop LCD screen model LTN101NT06 (collectively, the "Accused Products").

V. THE AUO PATENTS

A. The '955 Patent

1. Identification of the Patent and Ownership by AUO

5.2 U.S. Patent No. 6,281,955 ("the '955 Patent") is entitled "Liquid Crystal Display Device and a Method of Making the Same Having Overlapping Color Filters with Apertures" and issued on August 28, 2001. The '955 Patent issued from U.S. Patent Application Serial No. 09/081,681, which was filed on May 20, 1998. The inventors of the '955 Patent are Teruyuki Midorikawa, Yasuharu Tanaka, Masumi Manabe, Minako Kurosaki, Muneharu Akiyoshi, Daisuke Miyazaki, and Hitoshi Hatoh.

5.3 AU Optronics Corporation is the owner, by valid assignment, of the entire right, title, and interest in and to the '955 Patent. **Exhibits 1 and 7.** The '955 Patent is valid, enforceable, and is currently in full force and effect.

5.4 Pursuant to Rule 210.12(c) of the Commission's Rules or Practice and Procedure, this Complaint is accompanied by a certified copy and three additional copies of the prosecution history of the '955 Patent (**Appendix A**), and four copies of each reference mentioned in the '955 Patent's prosecution history (**Appendix B**).

2. Non-Technical Description of the Patented Invention²

5.5 The '955 Patent generally relates to novel structures and techniques for LCD devices to obtain excellent picture quality of color images, reduced assembly defects and high production yields. Color filters are formed on the same substrate as switching elements and pixel

² The text in the following "Non-Technical Description of the Patented Invention" sections do not, and are not intended to, construe either the specification or claims of any of the AUO Patents.

electrodes. The color filter elements are located between the pixel electrodes and the switching elements, and adjacent color filter elements overlap at their edges. The structure disclosed provides for reduced electrical coupling with the pixel electrode which improves picture quality and performance of the LCD.

3. Foreign Counterparts to the '995 Patent

5.6 JP 3844846 was filed on June 12, 1997, published on January 6, 1999, and issued on August 25, 2006. TW 1174127 was filed on December 5, 2005 and issued on June 11, 2009. KR 10-0308092 issued on August 27, 2001. No other foreign patents or patent applications corresponding to the '955 Patent have been filed, abandoned, withdrawn, or rejected.

B. The '093 Patent

1. Identification of the Patent and Ownership by AUO

5.7 U.S. Patent No. 7,697,093 ("the '093 Patent") is entitled "Array Panel" and issued on April 13, 2010. The '093 Patent issued from U.S. Patent Application Serial No. 11/671,049, which was filed on February 5, 2007. The inventors of the '093 Patent are Te-Wei Chan, Yi-Pai Huang, Chung-Yi Chiu, and Yen-Ting Chen.

5.8 AU Optronics Corporation is the owner, by valid assignment, of the entire right, title, and interest in and to the '093 Patent. **Exhibits 2 and 8.** The '093 Patent is valid, enforceable, and is currently in full force and effect.

5.9 Pursuant to Rule 210.12(c) of the Commission's Rules or Practice and Procedure, this Complaint is accompanied by a certified copy and three additional copies of the prosecution history of the '093 Patent (**Appendix C**), and four copies of each reference mentioned in the '093 Patent's prosecution history (**Appendix D**).

2. Non-Technical Description of the Patented Invention

5.10 The '093 Patent generally relates to novel structures for improving the display quality of LCDs by improving the color wash out problem under wide viewing angles and preventing light leakage from occurring. Each electrode of an LCD panel contains sub-branches which are connected at one end to a central portion of the electrode and at the other end to a connecting portion of the electrode. This electrode structure produces multiple sub-domains within the liquid crystal layer of the LCD.

3. Foreign Counterparts to the '093 Patent

5.11 CN 200610137552.2 was filed on October 25, 2006, published on May 9, 2007, and issued on July 7, 2010. CN 201010112578.8 was filed on October 25, 2006 and published on July 14, 2010. TW 95138272 was filed on October 17, 2006 and published on May 1, 2008. No other foreign patents or patent applications corresponding to the '093 Patent have been filed, abandoned, withdrawn, or rejected.

C. The '192 Patent

1. Identification of the Patent and Ownership by AUO

5.12 U.S. Patent No. 7,286,192 ("the '192 Patent") is entitled "Transreflective Liquid Crystal Display" and issued on October 23, 2007. The '192 Patent issued from U.S. Patent Application Serial No. 11/146,568, which was filed on June 7, 2005. The inventors of the '192 Patent are Ching-Huan Lin and Ching-Yu Tsai.

5.13 AU Optronics Corporation is the owner, by valid assignment, of the entire right, title, and interest in and to the '192 Patent. **Exhibits 3 and 9.** The '192 Patent is valid, enforceable, and is currently in full force and effect.

5.14 Pursuant to Rule 210.12(c) of the Commission's Rules or Practice and Procedure, this Complaint is accompanied by a certified copy and three additional copies of the prosecution history of the '192 Patent (**Appendix E**), and four copies of each reference mentioned in the '192 Patent's prosecution history (**Appendix F**).

2. Non-Technical Description of the Patented Invention

5.15 The '192 Patent generally relates to novel structures for improving the viewing quality of LCDs. The patent discloses LCD devices in which pixels contain both a first sub-pixel area and a second sub-pixel area. Each pixel contains switching circuitry. When the circuitry is operated in a first state, the voltage potentials across the first sub-pixel area and across the second sub-pixel area are substantially equal. When the circuitry is operated in a second state, the voltage potential across the first sub-pixel area and the second sub-pixel area are different. In this way, for example, the optical responses of the two sub-pixel areas can be made different, to achieve improved picture quality.

3. Foreign Counterparts to the '192 Patent

5.16 CN 200610004870 was filed on January 10, 2006 and issued on July 12, 2006. JP 4597906 was filed on May 12, 2006, published on December 21, 2006 and issued on October 1, 2010. TW I310855 was filed on December 5, 2005 and issued on June 11, 2009. No other foreign patents or patent applications corresponding to the '192 Patent have been filed, abandoned, withdrawn, or rejected.

D. The '967 Patent

1. Identification of the Patent and Ownership by AUO

5.17 U.S. Patent No. 6,818,967 ("the '967 Patent") is entitled "Fabricating Method of Low Temperature Poly-Silicon Film and Low Temperature Poly-Silicon Thin Film Transistor"

and issued on November 16, 2004. The '967 Patent issued from U.S. Patent Application Serial No. 10/612,607, which was filed on July 1, 2003. The inventor of the '967 Patent is Yun-Sheng Chen.

5.18 AU Optronics Corporation and AU Optronics Corporation America are joint the owners, by valid assignment, of the entire right, title, and interest in and to the '967 Patent. **Exhibits 4 and 10.** The '967 Patent is valid, enforceable, and is currently in full force and effect.

5.19 Pursuant to Rule 210.12(c) of the Commission's Rules or Practice and Procedure, this Complaint is accompanied by a certified copy and three additional copies of the prosecution history of the '967 Patent (**Appendix G**), and four copies of each reference mentioned in the '967 Patent's prosecution history (**Appendix H**).

2. Non-Technical Description of the Patented Invention

5.20 The '967 Patent generally relates to low temperature poly-silicon ("LTPS") TFTs fabricated by novel techniques. During the process of forming the poly-silicon layer of the LTPS TFT, mounds are formed on the surface of this layer. If the height/width ratio of these mounds is too great, the electrical characteristics of the TFTs are impacted in an undesirable manner. The '967 Patent teaches techniques that may be used to reduce the height/width ratio of the mounds to improve the current uniformity of the TFTs and further improve the display uniformity of the display panel.

3. Foreign Counterparts to the '967 Patent

5.21 CN 03122982.4 was filed on April 23, 2003, published on October 27, 2004 and issued on June 14, 2006. TW 206697 was filed on April 16, 2003 and issued on June 21, 2004.

No other foreign patents or patent applications corresponding to the '192 Patent have been filed, abandoned, withdrawn, or rejected.

E. The '854 Patent

4. Identification of the Patent and Ownership by AUO

5.22 U.S. Patent No. 7,199,854 ("the '854 Patent") is entitled "Grounding Apparatus of Print Circuit Board in Liquid Crystal Display" and issued on April 3, 2007. The '854 Patent issued from U.S. Patent Application Serial No. 10/790,812, which was filed on March 3, 2004. The inventor of the '854 Patent is Tsung-His Yu.

5.23 AU Optronics Corporation and AU Optronics Corporation America are the joint owners, by valid assignment, of the entire right, title, and interest in and to the '854 Patent. **Exhibits 5 and 11.** The '854 Patent is valid, enforceable, and is currently in full force and effect.

5.24 Pursuant to Rule 210.12(c) of the Commission's Rules or Practice and Procedure, this Complaint is accompanied by a certified copy and three additional copies of the prosecution history of the '854 Patent (**Appendix I**), and four copies of each reference mentioned in the '854 Patent's prosecution history (**Appendix J**).

5. Non-Technical Description of the Patented Invention

5.25 The '854 Patent generally relates novel structures and techniques to simplify grounding apparatus used for grounding a print circuit boards ("PCBs") of an LCD, which can also save time needed to assemble the grounding apparatus with PCB. A device made using this technique requires less time to assemble during manufacture than devices utilizing alternative grounding techniques.

6. Foreign Counterparts to the '854 Patent

5.26 CN 200410058931.3 was filed on July 22, 2004, published on March 2, 2005, and issued on September 26, 2007. TW I327652 was filed on July 26, 2006 and issued on August 1, 2010. No other foreign patents or patent applications corresponding to the '854 Patent have been filed, abandoned, withdrawn, or rejected.

F. The '729 Patent

1. Identification of the Patent and Ownership by AUO

5.27 U.S. Patent No. 7,663,729 ("the '729 Patent") is entitled "Arrangement of Photo Spacer Material" and issued on February 16, 2010. The '729 Patent issued from U.S. Patent Application Serial No. 11/270,576, which was filed on November 10, 2005. The inventor of the '729 Patent is Min-Feng Chiang.

5.28 AU Optronics Corporation is the owner, by valid assignment, of the entire right, title, and interest in and to the '729 Patent. **Exhibits 6 and 12.** The '729 Patent is valid, enforceable, and is currently in full force and effect.

5.29 Pursuant to Rule 210.12(c) of the Commission's Rules or Practice and Procedure, this Complaint is accompanied by a certified copy and three additional copies of the prosecution history of the '729 Patent (**Appendix K**), and four copies of each reference mentioned in the '729 Patent's prosecution history (**Appendix L**).

2. Non-Technical Description of the Patented Invention

5.30 The '729 Patent generally relates to novel techniques for arranging photo spacers in a flat display device, such as an LCD panel. Photo spacers are used to maintain a fixed distance between two substrates in order to achieve optimal optical performance of the device. The quantity and uniformity of the photo spacers affect the mechanical strength and optical

properties of the device. The '729 Patent teaches techniques of arranging photo spacers that improves performance over alternative photo spacer arrangements.

3. Foreign Counterparts to the '729 Patent

5.31 CN 200510096523.1 was filed on August 22, 2005, published on February 8, 2006, and issued on June 3, 2009. TW I331245 was filed on July 20, 2005 and issued on October 1, 2010. No other foreign patents or patent applications corresponding to the '729 Patent have been filed, abandoned, withdrawn, or rejected.

VI. UNFAIR ACTS OF PROPOSED RESPONDENTS

6.1 Upon information and belief, the Samsung 46" LCD television model LN46C630K1F infringes at least claims 1-16 of the '955 Patent; claims 5, 6, 8, 15 and 33 of the '093 Patent; claims 1, 2, 5 and 9 of the '192 Patent; and claims 1-10 of the '729 Patent. Upon information and belief, the Samsung AT&T Captivate smartphone model SGH-I897 infringes at least claims 1 and 2 of the '967 Patent. Upon information and belief, the Samsung 10.1" laptop LCD screen model LTN101NT06 infringes claims 1, 4, 6, 9, 10 and 14 of the '854 Patent. AUO reserves the right to assert additional claims as discovery proceeds and AUO obtains additional information indicating that other claims of the AUO Patents are infringed by any Respondent

6.2 Upon information and belief, Samsung's flat panel devices infringe the patents-in-suit because they practice the claimed inventions. Moreover, Samsung's flat panel devices are offered for sale, sold for importation into the United States, and/or sold after importation into the United States.

6.3 **Confidential Exhibit 14** is an exemplary claim chart demonstrating how representative independent claims 1 and 7 of the '955 Patent read on the representative Samsung 46" LCD television model LN46C630K1F.

6.4 **Confidential Exhibit 15** is an exemplary claim chart demonstrating how representative independent claims 5 and 33 of the '093 Patent read on the representative Samsung 46" LCD television model LN46C630K1F.

6.5 **Confidential Exhibit 16** is an exemplary claim chart demonstrating how representative independent claims 1 and 9 of the '192 Patent read on the representative Samsung 46" LCD television model LN46C630K1F.

6.6 **Confidential Exhibit 17** is an exemplary claim chart demonstrating how representative independent claim 1 of the '729 Patent reads on the representative Samsung 46" LCD television model LN46C630K1F.

6.7 **Confidential Exhibit 18** is an exemplary claim chart demonstrating how representative independent claim 1 of the '967 Patent reads onto the representative Samsung AT&T Captivate Smartphone model SGH-I897.

6.8 **Exhibit 19** is an exemplary claim chart demonstrating how representative independent claims 1 and 9 of the '854 Patent reads onto the representative Samsung 10.1" laptop LCD screen model LTN101NT06. AUO reserves the right to assert additional claims of the AUO Patents as discovery proceeds.

VII. SPECIFIC INSTANCES OF UNFAIR IMPORTATION AND SALE

7.1 On information and belief, Samsung (or others on its behalf) manufactures the infringing LCD devices abroad and then engages in the importation, sale for importation, and/or sale after importation into the United States of these infringing devices. Certain representative examples of such importation are listed in the following paragraphs.

7.2 The analyzed Samsung 46" LCD television model LN46C630K1F products were purchased on June 7, 2011 for \$959.00 each, from Fry's Electronics located at 3600 Sepulveda Blvd, Manhattan Beach, CA 90266. The receipt indicating these purchases is attached as **Exhibit 20**. A photograph of the Samsung 46" LCD television model LN46C630K1F product on which the label "Made in Mexico" is visible is included among the photographs attached as **Exhibit 21**.

7.3 The analyzed Samsung AT&T Captivate Smartphone model SGH-I897 was purchased on June 22, 2011 for \$0.01 (excluding accompanying phone service plan), from BrandsMart located at 5000 Motors Industrial Way, Doraville, GA 30092. The receipt indicating this purchase is attached as **Exhibit 22**. A photograph of the Samsung SGH-I897 product on which the label "Made in Korea" is visible is included among the photographs attached as **Exhibit 23**.

7.4 The analyzed Samsung AT&T Captivate Smartphones model SGH-I897 were purchased on June 9, 2011 for \$599.99 each, from Best Buy located at 901 S. Coast Dr. Suite F, Costa Mesa, CA, 92626. The receipt indicating these purchases is attached as **Exhibit 24**. A photograph of the Samsung SGH-I897 product on which the label "Made in Korea" is visible is included among the photographs attached as **Exhibit 25**.

7.5 The analyzed Samsung 10.1" LCD monitor model LTN101NT06 products were purchased on June 5, 2011 for \$54.99 each, from www.blisscomputers.net. The receipt indicating these purchases is attached as **Exhibit 26**. A photograph of the Samsung 10.1" LCD monitor model LTN101NT06 product on which the label "Made in China" is visible is attached as **Exhibit 27**.

VIII. HARMONIZED TARIFF SCHEDULE ITEM NUMBER

8.1 Upon information and belief, the Harmonized Tariff Schedule of the United States item numbers under which the infringing LCD devices and products containing same have been imported into the United States may include at least the following HTS numbers: HTSUS 8517.12.0050; HTSUS 8528.72.6400; HTSUS 8528.51.0000; and/or HTSUS 8471.60.7000. These classifications are intended for illustration only and are not intended to be restrictive of the accused products.

IX. LICENSEES

9.1 AUO has licensed one or more of the asserted patents to the licensees identified in **Confidential Exhibit 28**.

9.2 The '955 patent was acquired by AUO from AFPD PTE, Ltd. ("AFPD"), a joint venture between Toshiba Corporation and Matsushita Electric Industrial Co. Ltd. on July 27, 2010. AFPD acquired the '955 patent from Toshiba Mobile Display Co., Ltd. ("Toshiba") on June 28, 2010. AUO has provided in **Confidential Exhibit 28** the names of all licensees of which AUO is aware, but recognizes the possibility that Toshiba or AFPD licensed the patent to other entities of which AUO is not aware. Additionally, AUO is not aware of any licenses to the '955 patent that may have been granted by Toshiba or AFPD to any of the respondents listed in this Complaint.

X. DOMESTIC INDUSTRY

10.1 As required by Section 337(a)(2) and defined by Section 337 (a)(3), an industry in the United States exists in connection with the AUO Patents based on the activities of AUO. Each of the six asserted patents is important to AUO's success in the highly competitive industries relating to LCD devices and products.

10.2 Complainants AU Optronics Corp. and AU Optronics Corporation America together make significant investment in plant and equipment, employ significant labor and capital, and make substantial investment in engineering control, testing, validation, repair and maintenance of products that embody the patents-in-suit.

10.3 AUO's domestic industry products practice at least one or more claims of each of the AUO Patents. AUO TV Module T546HW04 is representative of AUO products that practice at least one claim of the '955 Patent. A claim chart demonstrating AUO TV Module T546HW04's practice of exemplary claim 1 of the '955 Patent is attached as **Confidential Exhibit 29**.

10.4 AUO TV Module T460HW07 is representative of AUO products that practice at least one claim of the '729 Patent. A claim chart demonstrating AUO TV Module T460HW07's practice of exemplary claim 1 of the '729 Patent is attached as **Confidential Exhibit 30**.

10.5 AUO Phone Module H43VL02 is representative of AUO products that practice at least one claim of the '967 Patent. A claim chart demonstrating AUO Phone Module H43VL02's practice of exemplary claim 1 of the '967 Patent is attached as **Confidential Exhibit 31**.

10.6 AUO Notebook Module B156XW02 V.2 is representative of AUO products that practice at least one claim of the '854 Patent. A claim chart demonstrating AUO Notebook Module B156XW02 V.2's practice of exemplary claim 1 of the '854 Patent is attached as **Exhibit 32**.

10.7 AUO TV Module T370HW03 is representative of AUO products that practice at least one claim of the '192 Patent. A claim chart demonstrating AUO TV Module T370HW03's practice of exemplary claim 1 of the '192 Patent is attached as **Confidential Exhibit 33**.

10.8 AUO TV Module T370HW03 is representative of AUO products that practice at least one claim of the '093 Patent. A claim chart demonstrating AUO TV Module T370HW03's practice of exemplary claim 5 of the '093 Patent is attached as **Confidential Exhibit 34**.

10.9 AUO conducts significant domestic industry activities in the United States relating to the AUO Products covered by the AUO Patents. For example, AUO has made significant investment facilities and in employment of labor and capital to conduct repair and maintenance of its products within the United States. AUO has further made significant investment in facilities and in employment of labor and capital for customer support engineering using agents based in the United States to assist customers with debugging engineering issues, provide technical training, test and verify products, and demonstrate new models. AUO's significant employment of labor and capital for the AUO Patents is set forth in **Confidential Exhibit 35**.

10.10 AUO has made, and is contractually bound to continue to make, substantial investment in exploitation, including engineering and research and development, of the AUO patents. AUO has invested and continues to invest in R&D activities by engaging contractors throughout the United States, and indeed AU Optronics Corporation America itself, to develop and bring to market in the United States (and around the world) products that utilize the patented AUO technology. AUO's substantial investment in its exploitation of the AUO Patents is set forth in **Confidential Exhibit 36**.

XI. RELATED LITIGATION

11.1 The '955 and '093 Patents are currently the subject of a declaratory judgment action filed by Samsung Electronics Co., Ltd. on June 1, 2011 in the United States District Court for the Northern District of California. (*Samsung Electronics Co. Ltd., v. AU Optronics Corp., et al.*, Civ. No. 5:11-cv-02620-PSG.)

11.2 AUO has concurrently filed a civil action in the United States District Court for the Northern District of California. In that action, AUO has asserted the '955 and '093 Patents, among others not asserted in this Complaint, against Respondents.

11.3 AUO has concurrently filed a civil action in the United States District Court for the District of Delaware. In that action, AUO has asserted the '192, '729, '967, and '854 Patents against Respondents.

11.4 Upon information and belief, there has been no other foreign or domestic court or agency litigation involving any of the asserted patents, or subject matter thereof.

XII. REQUESTED RELIEF

12.1 WHEREFORE, by reason of the foregoing, AUO requests that the United States International Trade Commission:

12.2 (a) Institute an immediate Complaint, pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, with respect to violation of Section 337 based on Respondents' unlawful importation into the United States, sale for importation into the United States, and/or sale within the United States after importation of certain liquid crystal display devices and products containing the same that infringe one or more of the asserted claims of United States Patents Nos. 6,281,955; 7,697,093; 7,286,192; 7,663,729; 6,818,967; or 7,199,854;

12.3 (b) Schedule and conduct a hearing on the unlawful acts and, following the hearing, determine that there has been a violation of Section 337;

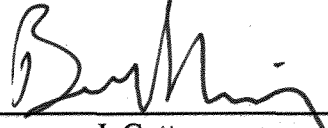
12.4 (c) Issue a permanent exclusion order, pursuant to Section 337(d) of the Tariff Act of 1930, as amended, excluding from entry into the United States Respondents' certain liquid crystal display devices and products containing the same that infringe one or more of the asserted claims of United States Patents Nos. 6,281,955; 7,697,093; 7,286,192; 7,663,729; 6,818,967; or 7,199,854;

12.5 (d) Issue a permanent cease and desist order, pursuant to Section 337(f) of the Tariff Act of 1930, as amended, directing Respondents to cease and desist from importation, marketing, advertising, demonstrating, warehousing inventory for distribution, testing, sale and use of certain liquid crystal display devices and products containing the same that infringe one or more of the asserted claims of United States Patents Nos. 6,281,955; 7,697,093; 7,286,192; 7,663,729; 6,818,967; or 7,199,854; and

12.6 (e) Grant such other and further relief as the Commission deems just and proper based on the facts determine by Complaint and the authority of the Commission.

Dated: June 27, 2011

Respectfully submitted,

By _____

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