

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

**In the Matter of**

**CERTAIN INTEGRATED CIRCUITS,  
CHIPSETS, AND PRODUCTS  
CONTAINING SAME INCLUDING  
TELEVISIONS**

**Investigation No. 337-TA-\_\_\_\_\_**

**COMPLAINT OF FREESCALE SEMICONDUCTOR, INC.  
UNDER SECTION 337 OF THE TARIFF ACT OF 1930, AS AMENDED**

**COMPLAINANT**

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**PROPOSED RESPONDENTS**

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Hsinchu City, Taiwan R.O.C. 30078

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Vizio, Inc.  
39 Tesla  
Irvine, CA 92618

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5-5 Keihan-Hondori, 2-chome Moriguchi  
Osaka, Japan

Sanyo North America Corporation  
2055 Sanyo Ave  
San Diego, CA 92154

Sanyo Manufacturing Corporation  
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**PROPOSED RESPONDENTS (cont'd)**

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Tsim Sha Tsui, Kowloon, Hong Kong

TPV International (USA) Inc.  
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Top Victory Electronics (Taiwan) Co., Ltd.  
Zhonghe City, Taiwan

Top Victory Electronics (Fujian) Co., Ltd.  
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Envision Peripherals, Inc.  
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<b>INDEX OF EXHIBITS</b>	
<b>Exhibit No.</b>	<b>Description</b>
1	Certified Copy of U.S. Patent No. 5,467,455
2	Certified copy of assignment records of U.S. Patent No. 5,467,455 (4 parts)
3	Freescall Q4 and FY 2010 Earnings Release
4C	FSI and Citibank Patent Security Agreement dated February 19, 2010
5	Public Version of Final Initial Determination in Investigation 337-TA-709 dated May 12, 2011
6	Notice of Commission Determination to Review an Initial Determination Granting-In-Part Respondents' Motion for Summary Determination that Complainant's Claims Against Respondent Funai are Precluded in Investigation 337-TA-786, dated October 13, 2011
7	Dun And Bradstreet Report on MediaTek Inc. dated May 6, 2011
8	Product Page for MediaTek MT5392 from MediaTek Inc. website dated May 10, 2011
9	Taiwan Economic News article dated June 28, 2011
10	"About MediaTek Inc." from MediaTek Inc. website dated May 12, 2011
11	Purchase Receipt for and Pictures of Vizio M320NV television
12	Purchase Receipt for and Pictures of Vizio M420NV television
13	Purchase Receipt for and Pictures of Television Control Board 3637-0572-0150 for use with Vizio E370VL televisions
14	Purchase Receipt for and Pictures of Television Control Board CBPFTQACB2K00302 for use with Vizio M260VA televisions
15	Dun And Bradstreet Report on Zoran Corporation dated May 6, 2011
16	Zoran Press Release dated March 23, 2011
17	Zoran SupraHD 770 Product Brief
18	Zoran SupraHD 780 Product Brief
19	Purchase Receipt for and Pictures of Sanyo DP32640 television
20	Purchase Receipt for and Pictures of Television Control Board N8LF for use with Sanyo DP32640 televisions
21	Purchase Receipt for and Pictures of TPV LE24H067 television
22	Purchase Receipt for and Pictures of TPV LC32W063 television
23	Purchase Receipt for and Pictures of TPV L42H961 television

<b>Exhibit No.</b>	<b>Description</b>
24	Dun And Bradstreet Report on Vizio, Inc. dated July 21, 2011
25	Taipei Times article dated June 26, 2008
26	Dun And Bradstreet Report on Sanyo North America Corporation dated July 21, 2011
27	Dun And Bradstreet Report on Sanyo Manufacturing Corporation dated August 10, 2011
28	Dun And Bradstreet Family Tree Report on Sanyo North America Corporation dated July 21, 2011
29	Zoran Press Release dated January 28, 2008
30	Hoovers profile for TPV Technology Limited dated August 3, 2011
31	Dun And Bradstreet Report on TPV International (USA) Inc. dated August 2, 2011
32	Dun And Bradstreet Report on AOC International (USA) Inc. dated July 28, 2011
33	Dun And Bradstreet Report on Envision Peripherals, Inc. dated August 10, 2011
34	TPV Technology Limited Organization Chart from TPV's website, <a href="http://www.tpvholdings.com/img/structure.jpg">http://www.tpvholdings.com/img/structure.jpg</a> dated August 10, 2011
35	Whois Record for <a href="http://www.aoc.com">www.aoc.com</a> dated August 2, 2011
36	Dun And Bradstreet Report on Amtran Logistics, Inc. dated July 21, 2011
37	Public Version of Order No. 33 in Investigation 337-TA-709 dated January 6 2011
38	Notice of Commission Decision Not to Review Initial Determination Granting Motion for Summary Determination re Licensing Activities in the Unites States Satisfies Domestic Industry Requirement in Investigation 337-TA-709 dated February 4, 2011
39C	Circuit Analysis Report for MediaTek MT5382
40C	Circuit Analysis Report for MediaTek MT5392/MT5391
41	Claim chart showing infringement of independent claim 9 of the '455 patent by the Zoran SupraHD integrated circuits within a TPV accused television
42	Claim chart showing infringement of independent claim 9 of the '455 patent by the MediaTek MT5392 integrated circuits within a Vizio accused television
43C	CONFIDENTIAL Declaration of Lee Chastain regarding Licensees to the '455 patent

<b>INDEX OF APPENDICES</b>	
<b>Appendix No.</b>	<b>Description</b>
A	Certified copy of prosecution history of U.S. Patent No. 5,467,455
B	Copies of technical references from prosecution history of U.S. Patent No. 5,467,455

<b>INDEX OF PHYSICAL EXHIBITS</b>	
<b>Physical Exhibit No.</b>	<b>Description</b>
	None

## **I. INTRODUCTION**

1. Complainant Freescale Semiconductor, Inc. ("Freescale" or "Complainant") requests that the United States International Trade Commission ("the Commission") commence an investigation pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 ("Section 337"), based upon the sale for importation, the unlawful importation into the United States, and/or the sale within the United States after importation of certain integrated circuits, chipsets, and products containing same including televisions (hereafter the "Accused Products").

2. The proposed Respondents are MediaTek Inc. ("MediaTek"); Zoran Corporation ("Zoran"); Vizio, Inc. ("Vizio"); Sanyo Electric Co., Ltd.; Sanyo North America Corporation; and Sanyo Manufacturing Corporation (collectively, "Sanyo"); TPV Technology Limited; TPV International (USA) Inc.; Top Victory Electronics (Taiwan) Co., Ltd.; Top Victory Electronics (Fujian) Co., Ltd.; AOC International (USA) Ltd.; and Envision Peripherals, Inc. (collectively, "TPV"); and Amtran Technology Co., Ltd. and Amtran Logistics, Inc. (collectively, "Amtran") (hereinafter collectively referred to as "Respondents").

3. The Respondents have sold for importation, imported, and/or sold within the United States after importation certain integrated circuits, integrated circuit chipsets, and products containing same, including televisions, that directly infringe one or more of at least claims 9 and 10 of United States Patent No. 5,467,455 ("the '455 patent"). Moreover, the Respondents' actions have induced infringement and/or contributed to the infringement of at least those same claims of the '455 patent.

4. Complainant seeks as relief a permanent exclusion order barring from entry into the United States the accused integrated circuits, chipsets, and products containing same, including, inter alia and without limitation, televisions. Complainant seeks as further relief permanent cease and desist orders preventing Respondents from all commercial activities concerning infringing imported goods.

## **II. COMPLAINANT FREESCALE**

5. Complainant Freescale is a Delaware corporation with its headquarters located at 6501 William Cannon Drive West, Austin, Texas. Freescale was formed in 2004 as a result of the divestiture of the Semiconductor Products Sector of Motorola, Inc. Freescale employs approximately 19,000 people in more than 20 countries including approximately 6,000 in the United States. Freescale maintains major design, research and development, and support centers in Austin, Texas; Lake Zurich, Illinois; and Phoenix, Arizona. It operates numerous wafer fabrication facilities worldwide including three in the United States. Two of these United States facilities are located in Austin, Texas and the remaining facility is in Chandler, Arizona.

6. Freescale enjoyed 2010 revenues of approximately \$4.5 billion of which \$782 million was invested in research and development. See Exhibit 3 (Freescale 2010 Results). Freescale is the successor-in-interest and assignee of Motorola's semiconductor-related patent portfolio. As a result of Freescale's and its predecessor's vigorous investment in research and development, it owns a portfolio of patents consisting of over 6,200 patent families.

7. Freescale's power management solutions, microprocessors, microcontrollers, sensors, radio frequency semiconductors, analog and mixed signal circuits, and software are embedded in products used around the world including automobiles, media players, washers, dryers and networking infrastructures. Freescale has more than 10,000 customers including 100 of the world's top Original Equipment Manufacturers. Freescale's advanced technology and broad employment base make it an important component of the domestic technology economy.

## **III. THE TECHNOLOGIES AND PRODUCTS AT ISSUE**

8. An integrated circuit is a miniaturized electronic circuit that has been manufactured on the surface of a substrate made of semiconductor material, or die. An integrated circuit die is typically placed within a polymer package to prevent physical damage and provide electrical interconnects for the integrated circuit.

9. The '455 patent relates to on-die termination circuitry of integrated circuit technology.

10. On information and belief, infringing integrated circuits, chipsets, and products containing same are sold for importation, imported, and/or sold after importation into the United States by the Respondents and/or their agents.

11. Although the Freescale patented technology may be used in a wide variety of applications, the Respondents' consumer products believed to infringe include at least televisions. Discovery may reveal the use of these technologies in other Respondents' products, which are expressly within the scope of the Investigation requested herein.

12. On information and belief, the design and sales cycle for televisions is extremely fast. Model numbers of televisions change often, without significant changes to the operation or function of the televisions.

#### **IV. THE ASSERTED PATENT**

13. The asserted patent at issue is United States Patent No. 5,467,455, entitled "Data Processing System and Method for Performing Dynamic Bus Termination." A certified copy of the '455 patent is attached as Exhibit 1. A certified copies of the prosecution history of the '455 patent is included in Appendix A. The technical references identified in the prosecution history of the '455 patent are included in Appendix B.

##### **A. United States Patent No. 5,467,455**

##### **1. Identification of the Patent and Ownership by Freescale**

14. The '455 patent was issued on November 14, 1995, based upon United States Patent Application No. 08/145,117, filed on November 3, 1993.

15. Freescale owns by assignment the entire right, title and interest in the '455 patent. Freescale obtained all right, title and interest in the '455 patent by assignment from Motorola, Inc. executed on April 4, 2004, and recorded on May 7, 2004 (attached as Exhibit 2). Motorola, Inc. had obtained all right, title and interest from the inventors James G. Gay and William B. Ledbetter, Jr. by assignments executed on October 29, 1993, and recorded on November 3, 1993 (attached as Exhibit 2). Freescale provided Citibank, N.A. a security interest in the '455 patent

as Collateral Agent, executed on December 1, 2006, and recorded on February 2, 2007 (attached as Exhibit 2). Freescale provided another security interest to Citibank, N.A. on February 19, 2010 (attached as Exhibit 4C). Freescale provided another security interest to Citibank, N.A. on April 13, 2010, recorded on May 13, 2010 (attached as Exhibit 2).

16. Certified copies of the assignments for the '455 patent are attached as Exhibit 2.

17. Freescale asserts claims 9 and 10 of the '455 patent.

## **2. Nontechnical Description of the '455 Patent**

18. The '455 patent describes circuitry designed to reduce unwanted signal reflection on a bi-directional communication bus between two integrated circuits. Among other things, the system and method described in the '455 patent permits disabling the termination circuitry on one of the integrated circuits when data is not being received from the communication bus. The selective enabling and disabling of the termination circuitry allows the system to reduce unwanted signal reflection, which also typically conserves power.

## **3. Foreign Counterparts to the '455 Patent**

19. The following is a list of all foreign counterparts to the '455 patent:

<b>Country</b>	<b>Application No.</b>	<b>Patent No.</b>	<b>Status</b>
Japan	6-287206	4230545	Granted

To the best of Freescale's knowledge, information and belief, there are no other foreign counterpart patents or patent applications to the '455 patent issued, filed, withdrawn, or abandoned.

## **4. Licenses**

20. The identities of all parties with a license to or a covenant-not-to-assert the '455 patent are set forth in the Declaration of Lee Chastain attached as Confidential Exhibit 43C. To the best of Freescale's knowledge, information and belief, there are no other licenses to or covenants-not-to-assert the '455 patent.

## **V. PROPOSED RESPONDENTS AND PROOF OF IMPORTATION**

### **A. Proposed Respondent MediaTek Inc.**

21. On information and belief, Proposed Respondent MediaTek Inc. is a corporation organized under the laws of Taiwan, and maintains its principal place of business in No.1, Dusing Road 1, Hsinchu Science Park, Hsinchu City, Taiwan R.O.C., 30078. On information and belief, Proposed Respondent MediaTek Inc. is the worldwide parent corporation for other MediaTek entities, and responsible either directly or indirectly through subsidiaries for MediaTek's infringing activities.

22. A true and correct copy of a Dun and Bradstreet report for MediaTek Inc. is attached as Exhibit 7.

23. Proposed Respondent MediaTek Inc. is herein referred to as "MediaTek."

24. On information and belief, MediaTek designs, manufactures, sells for importation, imports, and/or sells after importation products containing integrated circuits and chipsets, that are included in televisions. See Exhibit 10 (About MediaTek) ("MediaTek Inc. is a leading fabless semiconductor company for wireless communications and digital multimedia solutions. The company is a market leader and pioneer in cutting-edge SOC system solutions for . . . high-definition TV . . . products.").

25. MediaTek is not licensed to utilize Freescale's patented technology to design, manufacture, sell for importation, import, and/or sell after importation infringing products that use Freescale's patented technologies. MediaTek is not paying a royalty to Freescale.

## **1. MediaTek Accused Products**

26. On information and belief, MediaTek Accused Products include MediaTek integrated circuits and chipsets, including those included in televisions made by consumer electronics companies such as Vizio, and Amtran. Exhibit 8 (MT5392 Product Page) (“MediaTek’s MT5392 DTV SoC . . . the best digital media journey with MediaTek’s highly integrated DTV SoC.”); Exhibit 9 (June 28, 2011 Taiwan Economic News article) (“[Amtran offers TVs] under its brand name Vizio”, “Using MediaTek chips, AmTRAN has priced 32-inch TVs at . . .”).

27. On information and belief, MediaTek designs, manufactures, sells for importation, imports, and/or sells after importation products under various names and models that utilize DDR2 SDRAM technology.

28. Examples of MediaTek Accused Products include the MediaTek MT5392 product. See Exhibit 8.

29. On information and belief, MediaTek Accused Products also include integrated circuits and/or chipsets that are incorporated into end-products manufactured by other unlicensed entities in addition to Vizio and Amtran that are imported into the United States.

## **2. Proof of Importation**

30. Leading up to and through July 2011, a Freescale representative within the United States purchased imported MediaTek integrated circuits included in televisions in the United States.

31. On July 28, 2011, a Freescale representative within the United States purchased a Vizio M320NV television from TigerDirect. Exhibit 11 contains a sales receipt for and photos of the Vizio M320NV television that includes a MediaTek MT5387 integrated circuit on a circuit board manufactured by Amtran. The unit shown in Exhibit 11 bears a country of origin marking of Mexico.

32. On July 28, 2011, a Freescale representative within the United States purchased a Vizio M420NV television from TigerDirect. Exhibit 12 contains a sales receipt for and photos

of the Vizio M420NV television that includes a MediaTek MT5392 integrated circuit on a circuit board manufactured by Amtran. The unit shown in Exhibit 12 bears a country of origin marking of China.

33. On July 22, 2011 a Freescale representative within the United States purchased a replacement television control board part number 3637-0572-0150, which on information and belief is for use with at least Vizio E370VL televisions, from ShopJimmy.com that includes a MediaTek MT5387 integrated circuit on a circuit board manufactured by Amtran. Exhibit 13 contains a sales receipt for and photos of the replacement television control board. On information and belief, at least the MediaTek MT5387 integrated circuit was imported into the United States.

34. On June 8, 2011 a Freescale representative within the United States purchased a replacement television control board part number CBPFTQACB2K00302, which on information and belief is for use with at least Vizio M260VA televisions, from ShopJimmy.com that includes a MediaTek MT5387 integrated circuit. Exhibit 14 contains a sales receipt for and photos of the replacement television control board. On information and belief, at least the MediaTek MT5387 integrated circuit was imported into the United States.

**B. Proposed Respondent Zoran Corporation**

35. On information and belief, Proposed Respondent Zoran Corporation is a corporation organized under the laws of Delaware, and maintains its principal place of business at 1390 Kifer Road, Sunnyvale, California 94086. On information and belief, Respondent Zoran Corporation is the worldwide parent corporation for other Zoran entities, and responsible either directly or indirectly through subsidiaries for Zoran's infringing activities.

36. A true and correct copy of a Dun and Bradstreet report for Zoran Corporation is attached as Exhibit 15.

37. Proposed Respondent Zoran Corporation is herein referred to as "Zoran."

38. On information and belief, Zoran designs, manufactures, sells for importation, imports, and/or sells after importation products containing integrated circuits and chipsets, that are included in televisions. See Exhibit 16 (Zoran March 23, 2011 press release) (“Zoran supplies DTV processor platforms for global markets under brands such as . . . Sanyo, . . . Vizio, . . . and others . . .”).

39. Zoran is not licensed to utilize Freescale's patented technology to design, manufacture, sell for importation, import, and/or sell after importation infringing products that use Freescale's patented technologies. Zoran is not paying a royalty to Freescale.

#### **1. Zoran Accused Products**

40. On information and belief, Zoran Accused Products include Zoran integrated circuits and chipsets, including those included in televisions made by consumer electronics companies such as Vizio, Sanyo, and TPV. Exhibit 16 (Zoran March 23, 2011 press release) (“Zoran supplies DTV processor platforms for global markets under brands such as . . . Sanyo, . . . Vizio, . . . and others . . . .”); Exhibit 29 (Zoran January 28, 2008 press release) (“Zoran announced multiple high definition digital television technologies for manufacturers delivering products that meet standards for worldwide markets across Europe, Japan and North America. DTV brands include . . . Sanyo [and] TPV . . .”).

41. On information and belief, Zoran designs, manufactures, sells for importation, imports, and/or sells after importation products under various names and models that utilize DDR2 SDRAM technology. See Exhibit 17 (SupraHD 770 Product Brief); Exhibit 18 (SupraHD 780 Product Brief).

42. Examples of Zoran Accused Products include, but are not limited to, the following Zoran product families: SupraHD 772 (ZR39772) and SupraHD 775 (ZR39775).

43. On information and belief, Zoran Accused Products also include integrated circuits and/or chipsets that are incorporated into end-products manufactured by other unlicensed entities in addition to Vizio, Sanyo, and TPV that are imported into the United States.

## **2. Proof of Importation**

44. Before and through July, 2011, a Freescale representative within the United States purchased several imported Zoran accused integrated circuits included in televisions from various retailers in the United States.

45. On July 28, 2011, a Freescale representative within the United States purchased a Sanyo DP32640 television from Wal-Mart. Exhibit 19 contains a sales receipt for and photos of the Sanyo DP32640 television that includes a Zoran ZR39772. The unit shown in Exhibit 19 bears a country of origin marking of Mexico

46. On February 17, 2011 a Freescale representative within the United States purchased a replacement television control board part number N8LF, which on information and belief is for use with at least Sanyo DP32640 televisions, from ShopJimmy.com that includes a Zoran ZR39772 integrated circuit. Exhibit 20 contains a sales receipt for and photos of the replacement television control board. On information and belief, at least the Zoran ZR39772 integrated circuit was imported into the United States.

47. On June 17, 2011, a Freescale representative within the United States purchased a TPV L42H961 television from TheNerds.net. Exhibit 21 contains a sales receipt for the TPV L42H961 that includes a Zoran ZR39785 integrated circuit. The unit shown in Exhibit 21 bears a country of origin marking of China.

48. On April 22, 2011, a Freescale representative within the United States purchased a TPV LC32W063 television from Buy.com. Exhibit 22 contains a sales receipt for the TPV LC32W063 that includes a Zoran ZR39775 integrated circuit. The unit shown in Exhibit 22 bears a country of origin marking of China.

49. On April 22, 2011, a Freescale representative within the United States purchased a TPV LE24H067 television from Buy.com. Exhibit 23 contains a sales receipt for the TPV LE24H067 that includes a Zoran ZR3977 integrated circuit. The unit shown in Exhibit 23 bears a country of origin marking of China.

**C. Proposed Respondent Vizio, Inc.**

50. On information and belief, Proposed Respondent Vizio, Inc. is a corporation organized under the laws of the state of California, and maintains its principal place of business at 39 Tesla, Irvine, CA 92618. On information and belief, Respondent Vizio, Inc. imports and/or sells after importation Accused Vizio Products.

51. A true and correct copy of a Dun and Bradstreet report for Vizio, Inc. is attached as Exhibit 24.

52. Proposed Respondent Vizio, Inc. is herein referred to as "Vizio."

53. On information and belief, Vizio designs, manufactures, sells for importation, imports, and/or sells after importation products containing accused integrated circuits and chipsets, including televisions. (See Exhibits 9, 16, 25).

54. Vizio is not licensed to utilize Freescale's patented technology to design, manufacture, sell for importation, import, and/or sell after importation infringing products that use Freescale's patented technologies. Vizio is not paying a royalty to Freescale.

**1. Vizio Accused Products**

55. On information and belief, Vizio Accused Products include products that contain accused integrated circuits and chipsets, including televisions. E.g., Exhibit 16 (Zoran March 23, 2011 press release) ("Zoran supplies DTV processor platforms for global markets under brands such as . . . Vizio . . ."); Exhibit 25 (June 26, 2008 Taipei Times article) (explaining that MediaTek's market-share had increased because of demand from "[Amtran], which supplies TVs under the popular Vizio brand in the US."); Exhibit 9 (June 28, 2011 Taiwan Economic News article) ("[Amtran offers TVs] under its brand name Vizio", "Using MediaTek chips, AmTRAN has priced 32-inch TVs at . . .").

56. Examples of Vizio Accused Products include, but are not limited to, the following Vizio model numbers: M320NV, M420NV, E370VL, and M260VA.

**2. Proof of Importation**

57. Leading up to and through July, 2011, a Freescale representative within the United States purchased several imported Vizio Accused Products from various retailers in the United States.

58. On July 28, 2011, a Freescale representative within the United States purchased a Vizio M320NV television from TigerDirect. Exhibit 11 contains a sales receipt for and photos of the Vizio M320NV television that includes a MediaTek MT5387 integrated circuit on a circuit board manufactured by Amtran. The unit shown in Exhibit 11 bears a country of origin marking of Mexico.

59. On July 28, 2011, a Freescale representative within the United States purchased a Vizio M420NV television from TigerDirect. Exhibit 12 contains a sales receipt for and photos of the Vizio M420NV television that includes a MediaTek MT5392 integrated circuit on a circuit board manufactured by Amtran. The unit shown in Exhibit 12 bears a country of origin marking of China.

60. On July 22, 2011 a Freescale representative within the United States purchased a replacement television control board part number 3637-0572-0150, which on information and belief is for use with at least Vizio E370VL televisions, from ShopJimmy.com that includes a MediaTek MT5387 integrated circuit on a circuit board manufactured by Amtran. Exhibit 13 contains a sales receipt for and photos of the replacement television control board. On information and belief, at least the MediaTek MT5387 integrated circuit was imported into the United States.

61. On June 8, 2011 a Freescale representative within the United States purchased a replacement television control board part number CBPFTQACB2K00302, which on information and belief is for use with at least Vizio M260VA televisions, from ShopJimmy.com that includes a MediaTek MT5387 integrated circuit. Exhibit 14 contains a sales receipt for and photos of the replacement television control board. On information and belief, at least the MediaTek MT5387 integrated circuit was imported into the United States.

**D. Proposed Respondents Sanyo Electric Co., Ltd.; Sanyo North America**

**Corporation; and Sanyo Manufacturing Corporation**

62. On information and belief, Proposed Respondent Sanyo Electric Co., Ltd. is a corporation organized under the laws of Japan, and maintains its principal place of business in 5-5 Keihan-Hondori, 2-chome Moriguchi, Osaka, Japan.

63. On information and belief, Proposed Respondent Sanyo North America Corporation is a corporation organized under the laws of California, and maintains its principal place of business at 2055 Sanyo Ave, San Diego, CA 92154.

64. On information and belief, Proposed Respondent Sanyo Manufacturing Corporation is a corporation organized under the laws of Delaware, and maintains its principal place of business at 3333 Sanyo Road, Forrest City, Arkansas 72335.

65. A true and correct copy of a Dun and Bradstreet report for Sanyo North America Corporation is attached as Exhibit 26.

66. A true and correct copy of a Dun and Bradstreet report for Sanyo Manufacturing Corporation is attached as Exhibit 27.

67. A true and correct copy of a Dun and Bradstreet family tree report for Sanyo North America Corporation is attached as Exhibit 28.

68. Proposed Respondents Sanyo Electric Co., Ltd.; Sanyo North America Corporation; and Sanyo Manufacturing Corporation are hereinafter referred to as "Sanyo."

69. On information and belief, Sanyo designs, manufactures, sells for importation, imports, and/or sells after importation products containing accused integrated circuits and chipsets, including televisions. (See Exhibits 16, 29).

70. Sanyo is not licensed to utilize Freescale's patented technology to design, manufacture, sell for importation, import, and/or sell after importation infringing products that use Freescale's patented technologies. Sanyo is not paying a royalty to Freescale.

**1. Sanyo Accused Products**

71. On information and belief, Sanyo Accused Products include products that contain accused integrated circuits and chipsets, including televisions. E.g., Exhibit 16 (Zoran March 23,

2011 press release) (“Zoran supplies DTV processor platforms for global markets under brands such as . . . Sanyo . . . .”); Exhibit 29 (Zoran January 28, 2008 press release) (“Zoran announced multiple high definition digital television technologies for manufacturers delivering products that meet standards for worldwide markets across Europe, Japan and North America. DTV brands include . . . Sanyo [and] TPV . . . .”).

72. Examples of Sanyo Accused Products include, but are not limited to, the Sanyo model number DP32640 television.

## **2. Proof of Importation**

73. Leading up to and through July, 2011, a Freescale representative within the United States purchased several imported Sanyo Accused Products from various retailers in the United States.

74. On July 28, 2011, a Freescale representative within the United States purchased a Sanyo DP32640 television from Wal-Mart. Exhibit 19 contains a sales receipt for and photos of the Sanyo DP32640 television that includes a Zoran ZR39772. The unit shown in Exhibit 19 bears a country of origin marking of Mexico.

75. On February 17, 2011 a Freescale representative within the United States purchased a replacement television control board part number N8LF, which on information and belief is for use with at least Sanyo DP32640 televisions, from ShopJimmy.com that includes a Zoran ZR39772 integrated circuit. Exhibit 20 contains a sales receipt for and photos of the replacement television control board. On information and belief, at least the Zoran ZR39772 integrated circuit was imported into the United States.

**E. Proposed Respondent TPV Technology Limited; TPV International (USA) Inc.; Top Victory Electronics (Taiwan) Co., Ltd.; Top Victory Electronics (Fujian) Co., Ltd.; AOC International (USA) Ltd.; and Envision Peripherals, Inc.**

76. On information and belief, Proposed Respondent TPV Technology Limited is a corporation organized under the laws of Bermuda, and maintains its principal place of business at Suite 1023, 10th Floor, Ocean Centre, Harbour City, 5 Canton Road, Tsim Sha Tsui, Kowloon, Hong Kong.

77. On information and belief, Proposed Respondent TPV International (USA) Inc. is a corporation organized under the laws of California, and maintains its principal place of business at 3737 Executive Center Dr., Ste. 261, Austin, TX 78731.

78. On information and belief, Proposed Respondent Top Victory Electronics (Taiwan) Co., Ltd. is a corporation organized under the laws of Taiwan, and maintains its principal place of business in Zhonghe City, Taiwan.

79. On information and belief, Proposed Respondent Top Victory Electronics (Fujian) Co., Ltd. is a corporation organized under the laws of the People's Republic of China, and maintains its principal place of business in in Fuqing City, China.

80. On information and belief, Proposed Respondent AOC International (USA) Ltd. is a corporation that maintains its principal place of business at 47490 Seabridge Dr., Fremont, CA 94538.

81. On information and belief, Proposed Respondent Envision Peripherals, Inc. is a corporation organized under the laws of California, and maintains its principal place of business at 47490 Seabridge Dr., Fremont, CA 94538.

82. A true and correct copy of a Hoovers profile for TPV Technology Limited is attached as Exhibit 30.

83. A true and correct copy of a Dun and Bradstreet report for TPV International (USA) Ltd. is attached as Exhibit 31.

84. A true and correct copy of a Dun and Bradstreet report for AOC International (USA) Ltd. is attached as Exhibit 32.

85. A true and correct copy of a Dun and Bradstreet report for Envision Peripherals, Inc. is attached as Exhibit 33.

86. A true and correct copy of a TPV Technology Limited Organization Chart from TPV's website, <http://www.tpvholdings.com/img/structure.jpg>, is attached as Exhibit 34.

87. A true and correct copy of the whois record for AOC.com showing that [www.aoc.com](http://www.aoc.com) is registered to Top Victory Electronics (Taiwan) Co., Ltd. is attached as Exhibit 35.

88. Proposed Respondents TPV Technology Limited; TPV International (USA) Inc.; Top Victory Electronics (Taiwan) Co., Ltd.; Top Victory Electronics (Fujian) Co., Ltd.; AOC International (USA) Ltd.; and Envision Peripherals, Inc. are hereinafter referred to as "TPV."

89. On information and belief, TPV imports and/or sells after importation Accused TPV Products.

90. On information and belief, TPV designs, manufactures, sells for importation, imports, and/or sells after importation products containing accused integrated circuits and chipsets, including televisions. (See Exhibit 29).

91. TPV is not licensed to utilize Freescale's patented technology to design, manufacture, sell for importation, import, and/or sell after importation infringing products that use Freescale's patented technologies. TPV is not paying a royalty to Freescale.

#### **1. TPV Accused Products**

92. On information and belief, TPV Accused Products include products that contain accused integrated circuits and chipsets, including televisions. Exhibit 29 (Zoran January 28, 2008 press release) ("Zoran announced multiple high definition digital television technologies for manufacturers delivering products that meet standards for worldwide markets across Europe, Japan and North America. DTV brands include . . . Sanyo [and] TPV . . .").

93. Examples of TPV Accused Products include, but are not limited to, the following TPV model numbers: L42H961, LC32W063, and LE24H067.

## **2. Proof of Importation**

94. Leading up to and through June, 2011, a Freescale representative within the United States purchased several imported TPV Accused Products from various retailers in the United States.

95. On June 17, 2011, a Freescale representative within the United States purchased a TPV L42H961 television from TheNerds.net. Exhibit 21 contains a sales receipt for the TPV L42H961 that includes a Zoran ZR39785 integrated circuit. The unit shown in Exhibit 21 bears a country of origin marking of China.

96. On April 22, 2011, a Freescale representative within the United States purchased a TPV LC32W063 television from Buy.com. Exhibit 22 contains a sales receipt for the TPV LC32W063 that includes a Zoran ZR39775 integrated circuit. The unit shown in Exhibit 22 bears a country of origin marking of China.

97. On April 22, 2011, a Freescale representative within the United States purchased a TPV LE24H067 television from Buy.com. Exhibit 23 contains a sales receipt for the TPV LE24H067 that includes a Zoran ZR3977 integrated circuit. The unit shown in Exhibit 23 bears a country of origin marking of China.

### **F. Proposed Respondents Amtran Technology Co., Ltd. and Amtran Logistics, Inc.**

98. On information and belief, Proposed Respondent Amtran Technology Co., Ltd. is a corporation organized under the laws of Taiwan, and maintains its principal place of business at No. 268, LiánChéng Rd., Jhonghe District, Xinbei City, Taiwan.

99. On information and belief, Proposed Respondent Amtran Logistics, Inc. is a corporation organized under the laws of California, and maintains its principal place of business at 9 Goddard, Irvine, CA 92618.

100. A true and correct copy of a Dun and Bradstreet report for Amtran Logistics, Inc. is attached as Exhibit 36.

101. Proposed Respondents Amtran Technology Co., Ltd. and Amtran Logistics, Inc. are hereinafter referred to as "Amtran."

102. On information and belief, Amtran designs, manufactures, sells for importation, imports, and/or sells after importation products containing accused integrated circuits and chipsets, including televisions. (See Exhibits 9, 16, 25).

103. Amtran is not licensed to utilize Freescale's patented technology to design, manufacture, sell for importation, import, and/or sell after importation infringing products that use Freescale's patented technologies. Amtran is not paying a royalty to Freescale.

#### **1. Amtran Accused Products**

104. On information and belief, Amtran Accused Products include products that contain accused integrated circuits and chipsets, including televisions. E.g., Exhibit 16 (Zoran March 23, 2011 press release) ("Zoran supplies DTV processor platforms for global markets under brands such as . . . Vizio . . ."); Exhibit 25 (June 26, 2008 Taipei Times article) (explaining that MediaTek's market-share had increased because of demand from "[Amtran], which supplies TVs under the popular Vizio brand in the US."); Exhibit 9 (June 28, 2011 Taiwan Economic News article) ("[Amtran offers TVs] under its brand name Vizio", "Using MediaTek chips, AmTRAN has priced 32-inch TVs at . . .").

105. Examples of Amtran Accused Products include, but are not limited to, the following Vizio model numbers: M320NV, M420NV, and E370VL.

#### **2. Proof of Importation**

106. Leading up to and through July, 2011, a Freescale representative within the United States purchased several imported Amtran Accused Products from various retailers in the United States.

107. On July 28, 2011, a Freescale representative within the United States purchased a Vizio M320NV television from TigerDirect. Exhibit 11 contains a sales receipt for and photos of the Vizio M320NV television that includes a MediaTek MT5387 integrated circuit on a circuit board manufactured by Amtran. The unit shown in Exhibit 11 bears a country of origin marking of Mexico.

108. On July 28, 2011, a Freescale representative within the United States purchased a Vizio M420NV television from TigerDirect. Exhibit 12 contains a sales receipt for and photos of the Vizio M420NV television that includes a MediaTek MT5392 integrated circuit on a circuit board manufactured by Amtran. The unit shown in Exhibit 12 bears a country of origin marking of China.

109. On July 22, 2011 a Freescale representative within the United States purchased a replacement television control board part number 3637-0572-0150, which on information and belief is for use with at least Vizio E370VL televisions, from ShopJimmy.com that includes a MediaTek MT5387 integrated circuit on a circuit board manufactured by Amtran. Exhibit 13 contains a sales receipt for and photos of the replacement television control board. On information and belief, at least the MediaTek MT5387 integrated circuit was imported into the United States.

## **VI. UNLAWFUL AND UNFAIR ACTS OF PROPOSED RESPONDENTS**

110. As detailed herein, on information and belief, Proposed Respondents import, sell for importation, and/or sell after importation into the United States certain integrated circuits, chipsets, and/or products containing same, including televisions, that infringe the '455 patent.

### **A. Infringement of United States Patent Number 5,467,455**

111. On information and belief, Proposed Respondents MediaTek, Zoran, Vizio, Sanyo, TPV, and Amtran sell for importation and/or sell after importation into the United States certain integrated circuits, chipsets, and/or products containing same that infringe claims 9 and 10 of the '455 patent.

112. On information and belief, Zoran integrated circuits that infringe claims 9 and 10 of the '455 patent, include, but are not limited to, SupraHD 772 (ZR39772) and SupraHD 775 (ZR39775).

113. On information and belief, Zoran chipsets that infringe claims 9 and 10 of the '455 patent, include, but are not limited to, chipsets with DDR2 memory in combination with SupraHD 772 (ZR39772) and SupraHD 775 (ZR39775).

114. On information and belief, MediaTek integrated circuits that infringe claims 9 and 10 of the '455 patent, include, but are not limited to the MediaTek MT5387 product.

115. On information and belief, MediaTek chipsets that infringe claims 9 and 10 of the '455 patent, include, but are not limited to, chipsets with DDR2 memory in combination with the MediaTek MT5387 product.

116. Vizio Accused Products that infringe the '455 patent include, but are not limited to, end-products that include one or more of the infringing integrated circuits or chipsets, including:

- a. The Vizio M320NV television that includes an infringing MediaTek MT5387 integrated circuit and chipset.
- b. The Vizio M420NV television that includes an infringing MediaTek MT5392 integrated circuit and chipset.
- c. The Vizio E370VL television that includes an infringing MediaTek MT5387 integrated circuit and chipset.
- d. The Vizio M260VA television that includes an infringing MediaTek MT5387 integrated circuit and chipset.

117. Sanyo Accused Products that infringe the '455 patent include, but are not limited to, end-products that include one or more of the infringing integrated circuits or chipsets, including:

- a. The Sanyo DP32640 television that includes an infringing Zoran ZR39772 integrated circuit and chipset.

118. TPV Accused Products that infringe the '455 patent include, but are not limited to, end-products that include one or more of the infringing integrated circuits or chipsets, including:

- a. The TPV L42H961 television that includes an infringing Zoran ZR39785 integrated circuit and chipset.
- b. The TPV LC32W063 television that includes an infringing Zoran ZR39775 integrated circuit and chipset.
- c. The TPV LE24H067 television that includes an infringing Zoran ZR3977 integrated circuit and chipset.

119. Amtran Accused Products that infringe the '455 patent include, but are not limited to, end-products that include one or more of the infringing integrated circuits or chipsets, including:

- a. The Vizio M320NV television that includes an infringing MediaTek MT5387 integrated circuit and chipset.
- b. The Vizio M420NV television that includes an infringing MediaTek MT5392 integrated circuit and chipset.
- c. The Vizio E370VL television that includes an infringing MediaTek MT5387 integrated circuit and chipset.

120. A claim chart showing infringement of independent claim 9 of the '455 patent by the Zoran SupraHD integrated circuits used within Sanyo and TPV accused televisions is attached as Exhibit 41.

121. A claim chart showing infringement of independent claim 9 of the '455 patent by the MediaTek MT5392 integrated circuit used within Vizio and Amtran accused televisions is attached as Exhibit 42.

122. Materials cited in the claim charts provided in Exhibits 41-42 are attached as Exhibits 5 and 39C-40C.

123. On information and belief, end-products imported, sold for importation, or sold after importation by any proposed Respondent, that incorporate one of the above-listed integrated circuits or any other integrated circuit that infringes the '455 patent will also infringe the '455 patent.

124. On information and belief, Proposed Respondents Zoran, MediaTek, Vizio, Sanyo, TPV, and Amtran also actively induce infringement of the '455 patent by actively and knowingly aiding and abetting direct infringement by their customers. Proposed Respondents Zoran, MediaTek, Vizio, Sanyo, TPV, and Amtran actively and knowingly sell for importation, import, and/or sell after importation in the United States integrated circuits, such as those identified herein, that when placed into an end-product, for example a television, by one of their customers infringe at least claims 9 and 10 of the '455 patent.

125. Proposed Respondents Zoran, MediaTek, Vizio, Sanyo, TPV, and Amtran have been selling accused integrated circuits and products containing same knowing that there are no legitimate non-infringing uses of the integrated circuits. The accused integrated circuits are not staple articles of commerce and do not have substantial non-infringing uses.

126. On information and belief, Proposed Respondents Zoran, MediaTek, Vizio, Sanyo, TPV, and Amtran sell for importation, imports and/or sells after importation in the United States integrated circuits, such as those identified herein, and thereby contribute to the infringement of at least claims 9 and 10 of the '455 patent. Direct infringement of the asserted claims occurs when customers of Respondents Zoran, MediaTek, Vizio, Sanyo, TPV, and Amtran use the integrated circuits in an end-product, for example, a television. The accused integrated circuits are not staple articles of commerce and do not have substantial non-infringing uses.

127. Respondents Zoran, MediaTek, Vizio, Sanyo, TPV, and Amtran are aware or have been made aware by this Complaint of the '455 patent and its applicability to the infringing products.

## **VII. TARIFF CLASSIFICATION UNDER THE HARMONIZED TARIFF SCHEDULE**

128. On information and belief, the infringing integrated circuits and chipsets have been imported into the United States under at least subheading 8542.

129. On information and belief, the infringing televisions have been imported into the United States under at least subheading 8528.

130. The foregoing is illustrative and is not intended to restrict the scope of any remedy sought by Complainant.

## **VIII. RELATED LITIGATION**

131. On December 7, 2006, Freescale filed an infringement suit against ProMOS Technologies in the United States District Court for the Eastern District of Texas, Sherman Division, Civil Action Number 4:06-CV-491, alleging that ProMOS infringed three Freescale patents (U.S. Patent Nos. 5,367,494; 5,467,455; and 5,476,816). The parties settled and filed a Joint Stipulation of Dismissal on August 1, 2008. The case was dismissed on August 4, 2008.

132. On August 13, 2008, Freescale filed a complaint in the United States International Trade Commission, Investigation No. 337-TA-656, alleging that LSI Corporation ("LSI") has sold for importation, imported, or sold within the United States integrated circuits that infringe U.S. Patent No. 5,467,455; U.S. Patent No. 5,776,798; and U.S. Patent No. 6,473,349. The Commission instituted the investigation on September 18, 2008. On October 27, 2008, Freescale and LSI jointly moved to terminate the investigation on the basis of a settlement agreement. On November 10, 2008 the ALJ overseeing the investigation issued an Initial Determination granting the motion to terminate the investigation. On November 29, 2008, the Commission declined to review the Initial Determination.

133. On August 8, 2008, Freescale filed an infringement suit in the United States District Court for the Eastern District of Texas, Civil Action Number 2:08-CV-314, alleging that LSI infringed U.S. Patent No. 5,467,455; U.S. Patent No. 5,776,798; and U.S. Patent No. 6,473,349. On September 29, 2008, the Court stayed the action pursuant to 28 U.S.C. § 1659.

On October 29, 2008, the Court granted the parties' joint motion to lift the stay and dismiss the action.

134. On March 1, 2010 Freescale filed a complaint in the United States International Trade Commission, Investigation No. 337-TA-709 ("the 709 Investigation"), alleging that the named respondents had sold for importation, imported, or sold after importation within the United States integrated circuits that infringe U.S. Patent No. 5,467,455; U.S. Patent No. 5,715,014; and U.S. Patent No. 7,199,306. Following a three-day evidentiary hearing on the '455 patent, Chief Judge Paul Luckern issued a Final Initial Determination on April 4, 2011. Although Chief Judge Luckern found no violation for the remaining respondents because certain Zoran documents were not reliable as evidence, he expressly noted that , assuming arguendo that the Zoran documents were accorded eight, the accused products would infringe claims 9 and 10 of the '455 patent. Chief Judge Luckern also concluded that claims 9 and 10 of the '455 patent were valid and enforceable. See Exhibit 5. The determination became final on June 6, 2011, when the Commission declined review.

135. On March 1, 2010, Freescale filed an infringement suit in the United States District Court for the Western District of Texas, Austin Division, Civil Action Number 10-CV-00138-LY, alleging that, inter alia, Funai Corporation, Inc. and Funai Electric Co., Ltd. ("Funai") infringe the '455 Patent.

136. The '455 was the subject of re-examination number 90/011,664. A Reexamination Certificate confirming the patentability of all claims of the '455 patent issued on November 16, 2011.

137. On June 8, 2011, Freescale filed an infringement suit in the United States District Court for the Western District of Texas, Austin Division, Civil Action Number 1:11-cv-00472 LY, alleging that, inter alia, Zoran and MediaTek infringe the '455 Patent.

138. On June 8, 2011, Freescale filed a complaint in the United States International Trade Commission, Investigation No. 337-TA-786 ("the 786 Investigation"), alleging that Funai,

Mediatek, and Zoran had sold for importation, imported, or sold after importation within the United States integrated circuits that infringe the '455 Patent.

139. On August 16, 2011, Freescale filed an infringement suit in the United States District Court for the Western District of Texas, Austin Division, Civil Action Number 1:11-cv-00704 LY, alleging that, inter alia, Vizio, Sanyo, TPV, and Amtran infringe the '455 Patent.

**A. The Proposed Investigation is not Precluded by Previous Investigations Involving the '455 Patent**

140. In the 786 Investigation, the Respondents moved for summary determination that Freescale's claims against Funai products were barred under the doctrines of issue preclusion and bar by the determination of no Section 337 violation in the 709 Investigation. A copy of the public version of the Final Initial Determination from the 709 Investigation (the "709 Final ID") is attached as Exhibit 5. On August 29, 2011, the ALJ in the 786 Investigation granted the Respondents' motion in part, finding that certain of Freescale's claims against certain Funai products were precluded, while at the same time finding that Freescale's claims against other products were not precluded. On October 13, 2011, the Commission determined that it would review the ALJ's grant of summary determination in part, and requested further briefing from the parties. A copy of the Commission's determination to review the ALJ's grant of summary determination is attached as Exhibit 6.

141. Unlike certain Funai products in the 786 Investigation, none of the Accused Products in this proposed Investigation were at issue or finally adjudicated in the 709 Investigation. See Exhibit 5. Similarly, none of the parties in this proposed Investigation were parties in the 709 Investigation. See id. Neither the Accused Vizio Products nor the Accused AmTran Products (both of which contain MediaTek integrated circuits) were addressed in the 709 Final ID. See id. Indeed, the 709 Final ID does not ever mention Vizio, AmTran, or MediaTek. See id. Similarly, the 709 Final ID does not address the Accused Sanyo Products or the Accused TPV Products (both of which contain Zoran integrated circuits), nor does the 709 Final ID ever mention Sanyo or TPV. See id. As the Accused Products are made by different

manufacturers than the products in the 709 Investigation, the Accused Products are not essentially the same as the products addressed in the 709 Final ID. See id. Accordingly, the Accused Products in this proposed Investigation are not precluded by the 709 Investigation.

#### **IX. DOMESTIC INDUSTRY**

142. An industry exists in the United States as required by subsection (a)(2) of Section 337 relating to Freescale's semiconductor products.

143. Freescale has made at least significant employment of labor and capital and/or substantial investment in engineering, research and development, and/or licensing with respect to the '455 patent.

144. As Chief Judge Luckern found in Order No. 33 of Investigation No. 337-TA-709, Freescale has at least made substantial investment in licensing its patents to satisfy the domestic industry requirements of subsection (a)(3) of Section 337. Exhibit 37 (Order No. 33). The Commission declined to review Order No. 33. Exhibit 38. Freescale has continued to make substantial investments in licensing its patents since Order No. 33. Accordingly, Freescale meets the domestic industry requirements through its licensing activities.

145. The '455 patent, and the patent family of which it is a part, is an important part of Freescale's patent portfolio and are significant to Freescale's licensing activity. See Confidential Exhibit 43C.

146. Freescale has also made significant investments to license the technologies represented by the '455 patent.

147. Freescale has at least 22 employees supporting Freescale's patent licensing activities, including licensing of the '455 patent.

148. The Freescale employees supporting Freescale's patent licensing activities relating to the '455 patent engage, inter alia, in the administration and oversight of Freescale's patent portfolio, monitoring the marketplace for potential infringers, conducting technical analysis and

reverse engineering of potentially infringing products, conducting licensing negotiations, and providing legal support.

149. The '455 patent has been widely licensed by Freescale, generating significant revenues. A list of all patent licenses to, and covenants-not-to assert, the '455 patent is attached in Confidential Exhibit 43C. Freescale's licensing revenues are included in the Declaration of Lee Chastain in support of allegations of investments in intellectual property and technology licensing operations which is attached as Confidential Exhibit 43C.

150. Freescale has invested substantial sums in enforcement actions of its patents, including the '455 patent, resulting in royalty bearing licenses.

151. A declaration providing a breakdown of Freescale's investments in intellectual property and technology licensing operations attributable to domestic industry activities exploiting Freescale's patent portfolio, which includes the '455 patent, is set forth in Confidential Exhibit 43C.

152. Freescale's investment in salaries for United States employees engaged in intellectual property and technology licensing operations relating to Freescale's patent portfolio, which includes the '455 patent, is set forth in Tabs B & C of Confidential Exhibit 43C.

#### **X. RELIEF REQUESTED**

153. WHEREFORE, by reason of the foregoing, Complainant Freescale Semiconductor, Inc. respectfully requests that the United States International Trade Commission:

- a. Institute an investigation, pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337(a)(1)(B)(i) and (b)(1), with respect to violations of Section 337 based upon the importation into the United States, the sale for importation, and/or the sale within the United States after importation of Proposed Respondents' Accused Products that infringe one or more of claims 9 and 10 of the '455 patent and/or the importation into the United States, the sale for importation, and/or the sale within the United States after importation by Proposed Respondents that induces the infringement

and/or contributes to the infringement of one or more of claims 9 and 10 of the '455 patent;

b. Schedule and conduct a hearing on said unlawful acts and determine that there has been a violation of Section 337;

c. Issue a permanent exclusion order forbidding entry into the United States of integrated circuits, chipsets, and products containing the same, including, but not limited to, televisions, that infringe claims 9 and 10 of the '455 patent;

d. Issue permanent cease and desist orders, pursuant to 19 U.S.C. § 1337(f), directing Proposed Respondents, their affiliates, and others acting on behalf of Proposed Respondents, to cease and desist from importing, marketing, advertising, demonstrating, warehousing inventory for distribution, offering for sale, selling, distributing, licensing or use of integrated circuits, chipsets, and products containing the same, including, but not limited to, televisions, in the United States or transferring outside of the United States, that infringe one or more of the asserted claims of Freescale's United States Patent No. 5,467,455;

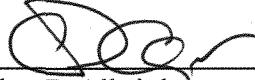
e. Order that any importation during the presidential review period be made subject to a bond sufficient to protect the Complainant from any injury; and

f. Grant such other and further relief as the Commission deems just and proper based upon the facts as determined by the investigation and the authority of the Commission.

Dated: NOVEMBER 30, 2011

Respectfully submitted,

**BRACEWELL & GIULIANI LLP**



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