



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, D.C. 20436

October 7, 2022

Christine Lehman, Esq.
Reichman Jorgenson LLP
1909 K Street, NW
Suite 800
Washington, DC 20006

Re: Complaint Filed by Daedalus Prime LLC Concerning *Certain Semiconductors and Devices and Products Containing the Same, Including Printed Circuit Boards, Automotive Parts, and Automobiles* (Docket No. 3637)

Dear Ms. Lehman:

Under Commission Rules 210.9, 210.10, and 210.12(a)(2), (3), and (9)(viii), 19 C.F.R. §§ 210.9, 210.10, & 210.12(a)(2), (3), and (9)(viii), the Commission has determined not to institute an investigation as to the following proposed respondents: Arrow Electronics, Inc.; Future Electronics Inc.; Rochester Electronics, LLC; MediaTek Inc.; MediaTek USA Inc.; Visteon Corporation; Mazda Motor Corporation; Mazda North American Operations; and Mazda Motor of America, Inc.¹

The complaint alleges a violation of section 337(a)(1)(B) based upon “[t]he importation into the United States, the sale for importation, or the sale within the United States after importation by the owner, importer, or consignee, of articles that— (i) infringe a valid and enforceable United States patent” 19 U.S.C. § 1337(a)(1)(B)(i). The information provided with the complaint, supplement, and exhibits, however, does not sufficiently describe the specific instances of importation or sale for the foregoing respondents. 19 C.F.R. § 210.12(a)(3). The Commission has determined to institute an investigation with respect to the remaining proposed respondents.

¹ Commissioner Schmidlein does not join the decision to decline to include in the investigation Arrow Electronics, Inc.; Future Electronics Inc.; Mazda Motor Corporation, Mazda North American Operations, and Mazda Motor of America, Inc.; and Visteon Corporation. She also does not join the decision to narrow the scope of the investigation. She has filed a separate memorandum (CO86-UU-007) on EDIS explaining her views.

Under Commission Rules 210.10(b)(1) and 210.12(a)(12), 19 C.F.R. §§ 210.10(b)(1) & 210.12(a)(12), the Commission has also determined to change the plain English language description proposed by Daedalus Prime LLC set forth in the complaint at ¶ 5 to conform with the allegations as supported by information and evidence submitted in the complaint, exhibits, and supplement. *See also* 19 C.F.R. § 210.12(a)(9)(viii). Thus, the Commission has determined to institute an investigation based on the complaint's patent infringement claims, and pursuant to 19 C.F.R. § 210.10(b)(1), the Commission has determined that the plain English language description of the accused products, or category of accused products, which defines the scope of the investigation, will be: "semiconductor chips and printed circuit boards for use in automobile infotainment systems and instrument clusters, and automobile infotainment systems, instrument clusters, and automobiles containing the same, and components thereof."

Documents relating to this institution determination, including comments from the complainant, proposed respondents, and the public, can be found on the Commission's Electronic Document Information System (EDIS) under Docket Number 3637.

Sincerely,

A handwritten signature in black ink, appearing to read "Katherine M. Hiner". The signature is fluid and cursive, written over a light gray grid background.

Katherine M. Hiner
Acting Secretary to the Commission

cc: Proposed respondents