

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-478 and 731-TA-1182 (Final)]

Certain Steel Wheels From China

Determinations

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission (Commission) determines, pursuant to sections 705(b) and 735(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)) and (19 U.S.C. 1673d(b)) (the Act), that an industry in the United States is not materially injured or threatened with material injury, and the establishment of an industry in the United States is not materially retarded, by reason of imports of certain steel wheels from China, provided for in subheading 8708.70 of the Harmonized Tariff Schedule of the United States, that the U.S. Department of Commerce has determined are subsidized and sold in the United States at less than fair value ("LTFV").

Background

The Commission instituted these investigations effective March 30, 2011, following receipt of a petition filed with the Commission and Commerce by Accuride Corp. (Evansville, IN) and Hayes Lemmerz International, Inc. (Northville, MI). The final phase of the investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of certain steel wheels from China were subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)) and dumped within the meaning of 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigations and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on November 23, 2011 (76 FR 72441). The hearing was held in Washington, DC, on March 8, 2012, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on May 2, 2012. The views of the Commission are contained in USITC Publication 4319

(April 2012), entitled *Certain Steel Wheels from China: Investigation Nos. 701-TA-478 and 731-TA-1182 (Final)*.

By order of the Commission.

Issued: May 3, 2012.

James R. Holbein,

Secretary to the Commission.

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-753]

Certain Semiconductor Chips and Products Containing Same; Review of a Final Initial Determination; Schedule for Written Submissions; Termination of the Investigation as to Three Respondents

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to terminate the investigation as to three respondents on the basis of settlement. The Commission has also determined to review in the entirety the final initial determination ("final ID") issued by the presiding administrative law judge ("ALJ") on March 2, 2012, finding no violation of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, in the above-captioned investigation.

FOR FURTHER INFORMATION CONTACT: Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708-2532. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on January 4, 2011, based on a complaint filed by Rambus Inc. of

Sunnyvale, California ("Rambus"), alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain semiconductor chips and products containing the same. 76 FR 384 (Jan. 4, 2011). The complaint alleged the infringement of various claims of patents including U.S. Patent Nos. 6,470,405; 6,591,353; 7,287,109 (collectively, "the Barth patents"); and Nos. 7,602,857; and 7,715,494 (collectively, "the Dally patents"). The Barth patents share a common specification, as do the Dally patents. The notice of investigation named as respondents Freescale Semiconductor of Austin, Texas ("Freescale"); Broadcom Corp. of Irvine, California ("Broadcom"); LSI Corporation of Milpitas, California ("LSI"); Mediatek Inc. of Hsin-Chu, Taiwan ("Mediatek"); NVIDIA Corp. of Santa Clara, California ("NVIDIA"); STMicroelectronics N.V. of Geneva, Switzerland; and STMicroelectronics Inc. of Carrollton, Texas (collectively, "STMicro"), as well as approximately twenty customers of one or more of these respondents.

The investigation has since been terminated against many of the respondents on the basis of Rambus's settlements with Broadcom, Freescale, and NVIDIA. Following the ALJ's issuance of the ID, Rambus settled its dispute with Mediatek. On March 16, 2012, Rambus, Mediatek, and Mediatek's customer-respondents Audio Partnership PLC and Oppo Digital, Inc., moved to terminate the investigation as to Mediatek and these two customers. No oppositions were filed. The Commission has determined to grant the motion, terminating the investigation as to these three respondents.

LSI and STMicro are the only two manufacturer respondents remaining. With them as respondents are their customers Asustek Computer, Inc. and Asus Computer International, Inc.; Cisco Systems, Inc. ("Cisco"); Garmin International Inc.; Hewlett-Packard Company; Hitachi Global Storage Technologies; and Seagate Technology.

On March 2, 2012, the ALJ issued the final ID. The ID found no violation of section 337 for several reasons. All of the asserted claims were found to be invalid or obvious in view of the prior art under 35 U.S.C. 102 and 103. The Barth patents were found to be unenforceable under the doctrine of unclean hands by virtue of Rambus's destruction of documents. The ID also found that Rambus had exhausted its rights under the Barth patents as to certain products of one respondent. The ID found that all of the asserted patent claims were infringed, and rejected

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).