

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

In the Matter of

**CERTAIN VIDEO-CAPABLE
ELECTRONIC DEVICES, INCLUDING
SMART TELEVISIONS, MONITORS,
AND COMPONENTS THEREOF**

Investigation No. 337-TA-_____

STATEMENT ON THE PUBLIC INTEREST BY INTERDIGITAL

Pursuant to Commission Rule 210.8(b) (19 C.F.R. § 210.8(b)), Complainants InterDigital, Inc., InterDigital VC Holdings, Inc., and InterDigital Madison Patent Holdings SAS (collectively, “InterDigital” or “Complainants”) submit this Statement on the Public Interest with respect to the remedial orders requested against Proposed Respondents TCL Industries Holdings Co., Ltd., TCL Technology Group Corp., TCL Electronics Holdings Limited, Shenzhen TCL New Technology Co., Ltd., TCL King Electrical Appliances (Huizhou) Company Limited, TCL Overseas Marketing Limited, TCL Smart Device (Vietnam) Company Limited, TCL Smart Screen Technology HK, TCL Moka International Ltd., and TTE Technology, Inc. (collectively, “TCL”) and Hisense Co., Ltd., Hisense USA Corporation, and Hisense Electronics Manufacturing Company of America Corporation (collectively, “Hisense”) (together, “Proposed Respondents”).

The Accused Products in this proposed investigation are electronic devices like smart TVs and monitors that are capable of using the AOMedia Video 1 (“AV1”) codec and/or decoding video with high dynamic range (“HDR”) content. The Accused Products infringe the Asserted Patents, which were awarded to InterDigital as a result of its novel innovations arising from its dedication to, and investment in, core video coding technologies that benefit the American public. InterDigital is not a member of AOMedia and has made no licensing commitments relating to either the AV1 codec or HDR decoding.

By any measure applied under established Commission precedent, exclusion of the infringing Accused Products would have zero impact on the public interest. The Accused Products—fungible consumer electronics that are designed and sold largely for entertainment purposes—are not essential to any important public health or welfare need. And suppliers of the many competing products available to U.S. consumers can satisfy any shift in market demand created by the requested remedial orders.

I. The Scope of the Remedy Sought

InterDigital seeks a limited exclusion order under 19 U.S.C. § 1337(d) prohibiting from entry into the United States certain video-capable electronic devices that are imported, sold for importation, and/or sold after importation by Proposed Respondents that infringe one or more of the claims of the Asserted Patents as defined in the Complaint. InterDigital also requests a cease-and-desist order under 19 U.S.C. § 1337(f) prohibiting Proposed Respondents and their subsidiaries, related companies, and agents from engaging in the importation, sale for importation, marketing and/or advertising, distribution, offering for sale, sale, use or sale after importation, transfer within the United States, testing, repair, technical support, or any other commercial activity related to infringing Accused Products. InterDigital also seeks a bond covering any importations of infringing products during the Presidential review period.

II. How the Accused Products Are Used in the United States

The Accused Products include smart TVs and monitors manufactured by or on behalf of Proposed Respondents. Consumers within the United States use the Accused Products for a variety of entertainment, internet, and social media purposes, none of which implicate, let alone threaten, any of the Commission’s public interest factors. Examples of the Accused Products include the

TCL 65-Inch Class QM7K Series Mini LED QLED 4K HDR Smart TV and Hisense 55-Inch U7 Mini LED ULED 4K UHD Smart TV.

III. There Are No Public Health or Welfare Concerns

Issuance of the requested remedial orders would have no adverse effect on the public health or welfare in the United States. Concerns about a negative impact on public health, safety, or welfare have arisen only in rare and exceptional cases involving, for example, pharmaceuticals, essential medical equipment, or green technology products. No such concerns are remotely present here. The Accused Products are marketed and used for purposes such as internet browsing, video playback, social media, and gaming. The consumer electronics market is replete with hundreds, if not thousands, of competing products that perform the same functions. InterDigital is not aware of any content that cannot be delivered by way of other codecs or non-HDR content. In other words, the practical effect of an exclusion order here would not stop the delivery of any content.

IV. The Requested Remedial Orders Will Spur Competitive Conditions

Far from adverse effects on competitive conditions within the United States, issuance of the requested remedial orders would, in fact, promote competition. The Accused Products compete in the highly competitive marketplace for consumer electronic devices, including competition from InterDigital's existing licensees.

The requested remedial orders would have the beneficial effect of protecting InterDigital's intellectual property rights while at the same time fostering a fair and competitive marketplace. As recognized by the PTO and the United States Department of Justice in their joint comment on the public interest as to Inv. No. 337-TA-1472, "the public interest favors robust, predictable enforcement of valid patent rights." *Certain Dynamic Random Access Memory (DRAM) Devices, Products Containing the Same, and Components Thereof*, Inv. No. 337-TA-1472, Joint Comment

on the Public Interest of the United States Patent and Trademark Office and the United States Department of Justice at 2 (Nov. 25, 2025) (EDIS Doc. ID No. 864941). Thus, “[w]hen patent rights are devalued through ineffective enforcement, the entire innovation ecosystem suffers.” *Id.* This is certainly true in the context of the consumer electronics at issue in this proposed investigation. The requested remedial orders will spur competition by removing Proposed Respondents’ unfair competition with InterDigital’s licensees and other market participants. As the Commission has stated, “the public interest favors the protection of U.S. intellectual property rights by excluding infringing imports.” *Certain Two-Handle Centerset Faucets and Escutcheons, and Components Thereof*, Inv. No. 337-TA-422, Comm’n Op. at 9 (July 21, 2000) (EDIS Doc. ID No. 52315). Thus, the issuance of InterDigital’s requested remedial orders aligns with the strong public interest in protecting intellectual property rights. *Certain Baseband Processor Chips and Chipsets, Transmitter and Receiver (Radio) Chips, Power Control Chips, and Prods. Containing Same*, Inv. No. 337-TA-543, Comm’n Op. at 136-37 (June 2007) (EDIS Doc. ID No. 276412).

V. Capacity to Replace the Accused Products in a Reasonable Time Exists in the Marketplace, and Neither the Accused Products nor Substitute Products Are Manufactured in the United States

The relevant entertainment-focused consumer electronics market is highly competitive, and numerous companies, including InterDigital’s own licensees, have ample capacity to replace Proposed Respondents’ infringing Accused Products in the United States market within a commercially reasonable time. There will be no unmet demand because competitors can readily supply the market if the requested remedial orders are issued. Further, the Accused Products are manufactured abroad, so there will be no negative impact on domestic manufacturing. *See Certain CloudConnected Wood-Pellet Grills and Components Thereof*, Inv. No. 337-TA-1237, Comm’n. Op. at 16-17 (May 24, 2022) (EDIS Doc. ID No. 771404) (finding that, where there are numerous

suppliers of similar products, “issuing the remedial orders will not adversely impact competitive conditions, or the production of like or directly competitive articles, in the United States”).

Moreover, all of the Accused Products support other video codecs. Thus, even if faced with an exclusion order, the Proposed Respondents will all have the option to continue to make and import smart televisions, just not those including the infringing technology.

VI. The Requested Remedial Orders Would Have Minimal Impact on Consumers

Following an exclusion order, U.S. consumers will still enjoy a wide variety of electronic devices, including those supplied by InterDigital’s licensees, as well as other competitive non-accused devices. Moreover, there are no standardized technologies implicated in this investigation. AV1 and HDR are non-standardized functionalities and consumers will continue to have access to InterDigital’s inventions through alternative products—including from InterDigital’s licensees Sony, LG, and others. In view of the availability of commercial alternatives to the Accused Products and the absence of standardized accused technologies, the exclusion of the infringing products will not negatively impact consumers.

Moreover, InterDigital is unaware of any content that is available only using the AV1 codec or only using HDR. As a result, even without these features, consumers would be able to access all content in alternative ways.

VII. Conclusion

For the foregoing reasons, the investigation proposed in InterDigital’s Section 337 Complaint filed concurrently herewith will not adversely affect the public interest. Moreover, given the lack of any possible adverse effect on the public interest, the Commission should not delegate the issue to the extent the proposed investigation is instituted.

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Respectfully Submitted,

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