

The Hon. Rhonda K. Schmidlein, Chairman  
The Hon. David S. Johanson, Vice Chairman  
United States International Trade Commission  
500 E Street, SW  
Washington, D.C. 20436

Re: **Statement on the Public Interest**

*Certain Semiconductor Devices, Semiconductor Device Packages, and Products  
Containing the Same, Inv. No. 337-TA-1010*

Dear Chairman Schmidlein, Vice Chairman Johanson, and Commissioners:

As a member of the United States House of Representatives, I respectfully submit these comments in response to the Commission's Notice of Request for Statements on the Public Interest in the matter of *Certain Semiconductor Devices, Semiconductor Device Packages, and Products Containing the Same*, Inv. No. 337-TA-1010, dated July 10, 2017.

I urge the Commission to consider disruptions to legitimate trade and domestic supply chains, U.S. consumers, and the public welfare that could result from possible remedies in this Investigation.

I understand the Complainant has accused a number of semiconductor components and products integrating such components in this Investigation. The Administrative Law Judge presiding over this Investigation has recommended an exclusion order, a cease-and-desist order, and a maximum bond preventing the importation and/or sale of products, including cable set-top boxes, cable modems, wireless routers, telecommunications switches, mobile phones, and tablets, among other products.

Such a broad remedial order would have a significant, negative impact on the American public and compromise the ability of millions of American businesses and consumers to access such services as cable television, Internet, and telecommunications. As one example of the significant impact of such a broad remedial order, Respondent Broadcom is the sole supplier of chips for set-top boxes manufactured by co-Respondents ARRIS and Technicolor, which supply cable set-top boxes for co-Respondent Comcast. Disruption to Comcast's ability to supply cable set-top boxes could result in a less competitive market for cable and Internet services, which would

multiple locations throughout Southern California where Broadcom employs nearly two thousand individuals. I am concerned that a remedial order could disrupt the livelihood of Broadcom employees, including numerous constituents, as well as the greater Orange County community.

While I express no opinion on the merits of the Investigation, I am deeply concerned about the impact a remedial order may have on the U.S. economy and consumers. If the Commission determines a remedy is appropriate, I urge the Commission to consider tailoring the order to avoid disruption to legitimate domestic operations of the cable television, Internet, and telecommunications industries, as well as the tens of millions of citizens who rely on the services those industries provide. In particular, please consider whether any remedy should include a grace period for the Respondents to convert their operations to products that do not infringe the asserted patents.

Thank you for your consideration of this important matter.

Sincerely,



Mimi Walters  
Member of Congress

---

<sup>1</sup> The Internet & Television Association, *Unleashing Connectivity and Entertainment in America: A Study of the Cable Industry's Economic Impact* (2016), available at <https://www.ncta.com/sites/prod/files/2016%20Bortz0/o20Economic%20Analysis%20Report.pdf>

### CERTIFICATE OF SERVICE

I, Pamela A. Freitik, hereby certify that the attached document has been served upon the following parties as indicated below on August 7, 2017.

The Honorable Lisa R. Barton Secretary to the Commission U.S. International Trade Commission 500 E Street SW, Room 112-A Washington, D.C. 20436	<input checked="" type="checkbox"/> Via EDIS <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Via Express Delivery <input checked="" type="checkbox"/> Via Hand Delivery
Sidney A. Rosenzweig Office of the General Counsel U.S. International Trade Commission 500 E Street SW Washington, D.C. 20436	<input type="checkbox"/> Via EDIS <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Electronic Mail at <a href="mailto:sidney.rosenzweig@usitc.gov">sidney.rosenzweig@usitc.gov</a>
The Honorable Dee Lord Administrative Law Judge U.S. International Trade Commission 500 E. Street SW, Room 317 Washington, D.C. 20436	<input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Via Express Delivery <input checked="" type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Electronic Mail at <a href="mailto:edward.jou@usitc.gov">edward.jou@usitc.gov</a>
Sturgis M. Sobin Shara Aranoff Daniel E. Valencia COVINGTON & BURLING LLP One CityCenter, 850 Tenth Street, N.W. Washington, D.C. 20001  Michael K. Plimack Dale A. Rice Nitin Subhedar COVINGTON & BURLING LLP One Front Street San Francisco, CA 94111	<input type="checkbox"/> Via EDIS <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Electronic Mail at <a href="mailto:Tessera-Broadcom@cov.com">Tessera-Broadcom@cov.com</a>  <input type="checkbox"/> Via EDIS <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Electronic Mail at <a href="mailto:Tessera-Broadcom@cov.com">Tessera-Broadcom@cov.com</a>

<p>Robert T. Haslam Anupam Sharma Thomas E. Garten COVINGTON &amp; BURLING LLP 333 Twin Dolphin Drive Redwood Shores, CA 94065-1418</p> <p><i>Counsel for Complainants Tessera Technologies, Inc., Tessera, Inc. and Invensas Corporation</i></p>	<p><input type="checkbox"/> Via EDIS <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Electronic Mail at <a href="mailto:Tessera-Broadcom@cov.com">Tessera-Broadcom@cov.com</a></p>
<p>KILPATRICK TOWNSEND &amp; STOCKTON LLP David E. Sipiora Kristopher L. Reed Matthew C. Holohan Brian P. O'Donnell 1400 Wewatta Street, Suite 600 Denver, CO 80202</p> <p>Joshua B. Pond 607 14th Street, NW, Suite 900 Washington, D.C. 20005-2018</p> <p>Norris P. Boothe Matthew J. Meyer William E. Mosley 1080 Marsh Road Menlo Park, CA 94025</p> <p>FOSTER MURPHY ALTMAN &amp; NICKEL PC David F. Nickel Matthew N. Duescher 1899 L Street, N.W., Suite 1150 Washington, D.C. 20036</p> <p><i>Counsel for Respondents Broadcom Limited, Broadcom Corporation, Arista Networks, Inc. ARRIS International plc, ARRIS Group, Inc., ARRIS Technology, Inc., ARRIS Enterprises LLC, ARRIS</i></p>	<p><input type="checkbox"/> Via EDIS <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Electronic Mail at <a href="mailto:Broadcom-TesseraITC@kilpatricktownsend.com">Broadcom-TesseraITC@kilpatricktownsend.com</a></p> <p><input type="checkbox"/> Via EDIS <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Electronic Mail at <a href="mailto:Broadcom-TesseraITC@kilpatricktownsend.com">Broadcom-TesseraITC@kilpatricktownsend.com</a></p> <p><input type="checkbox"/> Via EDIS <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Electronic Mail at <a href="mailto:FM-Broadcom-1010@fostermurphy.com">FM-Broadcom-1010@fostermurphy.com</a></p>

<p><i>Solutions, Inc. , Pace Ltd., Pace Americas, LLC, Pace USA, LLC, ASUSTeK Computer Inc., ASUS Computer International, Comcast Cable Communications, LLC, Comcast Cable Communications Management, LLC, Comcast Business Communications, LLC, Technicolor S.A., Technicolor USA, Inc., Technicolor Connected Home USA LLC, NETGEAR, Inc., HTC Corporation and HTC America, Inc.</i></p>	
<p>David A. Hickerson George C. Beck Foley &amp; Lardner LLP 3000 K Street, N.W., Suite 600 Washington, D.C. 20007-5109</p> <p>Steven J. Rizzi Ramy E. Hanna Foley &amp; Lardner LLP 90 Park Avenue New York, New York 10016-1314</p> <p><i>Counsel for Broadcom Limited and Broadcom Corporation</i></p>	<p><input type="checkbox"/> Via EDIS <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Electronic Mail at <a href="mailto:Broadcom-Foley@Foley.com">Broadcom-Foley@Foley.com</a></p> <p><input type="checkbox"/> Via EDIS <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Electronic Mail at <a href="mailto:Broadcom-Foley@Foley.com">Broadcom-Foley@Foley.com</a></p>

/s/ Pamela A. Freitik

Pamela A. Freitik