

EXHIBIT 3

UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.

Before the Honorable Cameron Elliot
Administrative Law Judge

In the Matter of

CERTAIN GRAPHICS SYSTEMS,
COMPONENTS THEREOF, AND
DIGITAL TELEVISIONS CONTAINING
THE SAME

ITC Inv. No. 337-TA-1318

RESPONDENTS TCL INDUSTRIES HOLDINGS CO., LTD., TCL INDUSTRIES HOLDINGS (H.K.) CO. LIMITED, TCL ELECTRONICS HOLDINGS LIMITED, TCL TECHNOLOGY GROUP CORPORATION, TTE CORPORATION, TCL HOLDINGS (BVI) LIMITED, TCL KING ELECTRICAL APPLIANCES (HUIZHOU) CO., LTD., SHENZHEN TCL NEW TECHNOLOGY CO., LTD., TCL MOKA INTERNATIONAL LIMITED, TCL SMART DEVICE (VIETNAM) CO., LTD., MANUFACTURAS AVANZADAS SA DE CV, TCL ELECTRONICS MEXICO, S DE RL DE CV, AND TCL OVERSEAS MARKETING LTD.'S RESPONSE TO THE COMPLAINT AND NOTICE OF INVESTIGATION

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PRELIMINARY STATEMENT

Pursuant to Commission Rule 210.13 and 19 C.F.R. § 210.13, Respondents TCL Industries Holdings Co., Ltd., TCL Industries Holdings (H.K.) Co. Limited¹, TCL Electronics Holdings Limited, TTE Corporation, TCL Holdings (BVI) Limited, TCL King Electrical Appliances (Huizhou) Co., Ltd., Shenzhen TCL New Technology Co.², Ltd., TCL Smart Device (Vietnam) Co., Ltd., Manufacturas Avanzadas SA de CV, TCL Electronics Mexico, S de RL de CV, and TCL Overseas Marketing Ltd. (collectively, “TCL Industries”), and TCL Technology Group Corporation and TCL MOKA International Limited (collectively, “MOKA”) (collectively “TCL” for all the foregoing entities) hereby respond to the Complaint filed by Advanced Micro Devices, Inc. and ATI Technologies ULC (collectively “AMD” or “Complainants”) on May 5, 2022 (“the Complaint”), the supplement to the complaint filed on May 18, 2022, and to the Notice of Investigation issued by the United States International Trade Commission (“Commission”) on June 1, 2022. As to the Notice of Investigation, TCL admits that such an investigation exists and that TCL is named as one of the respondents therein. TCL otherwise denies the existence of the predicates and requirements for liability under such investigation, and therefore, denies the allegations in the Notice of Investigation to the extent such allegations exist.

RESPONSE TO THE NOTICE OF INVESTIGATION

Responding to the Notice of Investigation, TCL admits that the Commission has initiated an Investigation under Section 337 and that each of the TCL Respondents is named as a

¹ AMD’s Complaint names “TCL Industries Holdings (H.K.) Limited” as a Respondent, but this entity does not exist. For the purpose of answering the Complaint, TCL assumes AMD refers to “TCL Industries Holdings (H.K.) Co. Limited”

² AMD’s Complaint names “Shenzhen TCL New Technologies Co., Ltd.” as a Respondent, but this entity does not exist. For the purpose of answering the Complaint, TCL assumes AMD refers to “Shenzhen TCL New Technology Co., Ltd.”

Respondent herein. TCL otherwise denies the existence of the predicates and requirements for liability under such investigation and therefore deny the allegations in the Notice of Investigation, to the extent such allegations exist. TCL denies that it has violated any provision of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337. TCL denies any violation of Section 337 through the importation into the United States, the sale for importation, and the sale within the United States after importation of certain graphics systems, components thereof, and digital televisions containing the same by reason of infringement of certain claims of U.S. Patent Nos. 7,742,053 (“the ’053 Patent”), 8,760,454 (“the ’454 Patent”), 11,184,628 (“the ’628 Patent”), 8,468,547 (“the ’547 Patent”), and/or 8,854,381 (“the ’381 Patent”) (collectively, the “Asserted Patents”). TCL further denies that an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of Section 337. TCL denies that Complainants are entitled to any relief in this proceeding.

STATEMENT PURSUANT TO COMMISSION RULE 210.13(b)

Pursuant to Rule 210.13(b), 19 C.F.R. § 210.13(b), TCL provides certain information in the attached Confidential Attachment A. TCL specifically denies that any of the supplied data refers or relates to any unlawful act under Section 337 or otherwise, and TCL specifically denies that its Accused Products infringe on any valid or enforceable asserted claim of the Asserted Patents.

RESPONSE TO COMPLAINT

TCL has not had sufficient time and opportunity to collect and review all of the information that may be relevant and necessary to respond to the allegations raised in the Complaint. TCL reserves the right to take further positions and raise additional defenses that

may become apparent as a result of additional time that may be discovered subsequent to the filing of this Response.

Unless specifically admitted below, TCL denies each and every allegation set forth in the Complaint and any amendments and exhibits attached thereto.

I. INTRODUCTION

1. TCL admits that the Complainants purport to have filed their Complaint under Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337. TCL denies engaging in unlawful importation into the United States, the unlawful sale for importation and/or the unlawful sale within the United States after importation, of articles covered by valid and enforceable United States patents owned by the Complainants. TCL denies that any TCL articles cited in the Complaint as being accused are covered by U.S. Patent Nos. 7,742,053 (“the ’053 Patent”), U.S. Patent No. 8,760,454 (“the ’454 Patent”), U.S. Patent No. 11,184,628 (“the ’628 Patent”), U.S. Patent No. 8,468,547 (“the ’547 Patent”), and U.S. Patent No. 8,854,381 (“the ’381 Patent”) (collectively, the “Asserted Patents” or the “Patents-in-Suit”).

2. TCL denies engaging in unlawful importation into the United States, the unlawful sale for importation and/or the unlawful sale within the United States after importation, of articles covered by valid and enforceable United States patents owned by the Complainants. TCL lacks knowledge or information sufficient to form a belief regarding the remaining allegations in Paragraph 2 and, therefore, denies those allegations and averments.

3. TCL denies that any TCL articles cited in the Complaint as being accused are covered by the Asserted Patents. TCL lacks knowledge or information sufficient to form a belief regarding the remaining allegations in Paragraph 3 and, therefore, denies those allegations and averments.

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