

EXHIBIT 1

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

**Before The Honorable Thomas B. Pender
Administrative Law Judge**

In the Matter of

CERTAIN COMPUTING OR GRAPHICS
SYSTEMS, COMPONENTS THEREOF,
AND VEHICLES CONTAINING SAME

Investigation No. 337-TA-984

**JOINT MOTION TO TERMINATE INVESTIGATION AS TO
RESPONDENT NVIDIA CORPORATION BASED ON SETTLEMENT**

Pursuant to 19 U.S.C. § 1337(c) and Commission Rule 210.21(b), Complainant Advanced Silicon Technologies LLC (“Advanced Silicon”) and Respondent NVIDIA Corporation (“NVIDIA”) (collectively, the “Settling Parties”), hereby submit this Joint Motion to Terminate Investigation 337-TA-984 as to Respondent NVIDIA only, in view of a Settlement and License Agreement (“Agreement”) between the Settling Parties.

A true and correct copy of the Agreement, redacted to protect the disclosure of confidential business information subject to the Protective Order (Order No. 1), is attached to this submission as Public Exhibit A and an unredacted version in attached as Exhibit B. Contemporaneously with this filing, the Settling Parties are also filing a motion pursuant to Commission Rule 210.21(a)(1), requesting that the ALJ limit service of the unredacted agreement to the Settling Parties and Staff.

The Agreement has been executed by the Settling Parties, and is fully effective as between them. The Agreement contains Confidential Business Information within the meaning of 19 C.F.R. § 201.6(a), including, but not limited to, license and settlement fee amounts, the

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disclosure of which could impair parties' ability to enter into settlement agreements. The Agreement completely resolves the dispute between the Settling Parties in this Investigation. The Agreement reflects the entire and only agreement between the Settling Parties regarding the subject matter of this Investigation. The Settling Parties represent that there are no other agreements, written or oral, express or implied, between the Settling Parties concerning the subject matter of this Investigation.

The Settling Parties agree that termination of this Investigation on the basis of settlement as to only NVIDIA does not constitute a determination as to the violation of section 337 of the Tariff Act of 1930, including as to the merits of the claims or defenses raised during this Investigation. *See* 19 C.F.R. § 210.21(b)(2).

In view of the Agreement, there no longer exists a basis upon which to continue this Investigation as to NVIDIA. Further, termination of this Investigation as to NVIDIA at this stage of the proceedings poses no threat to the public interest. Indeed, it is in the interest of the public and administrative economy to grant this motion. Commission policy and the public interest generally favor settlements, which preserve resources for both the Commission and the private parties, and motions to terminate based on settlement are routinely granted. *See, e.g., Certain Communications or Computing Devices and Components Thereof*, Inv. No. 337-TA-925, Order No. 37 (June 5, 2015) (terminating one respondent based on settlement agreement); *Certain Consumer Electronics with Display and Processing Capabilities*, Inv. No. 337-TA-884, Order No. 15 (Aug. 1, 2014) (terminating investigation based on settlement agreements among complainant, certain respondents, and a third party); *Certain Consumer Electronics and Display Devices and Products Containing Same*, Inv. No. 337-TA-836, Order No. 30 at 3 (January 28, 2013) (unreviewed) (terminating investigation based on settlement agreements among

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complainant, remaining respondents, and a third party); *Certain Portable Communication Devices*, Inv. No. 337-TA-827, Order No. 15 at 2 (May 31, 2012) (unreviewed) (same) (citation omitted).¹

Moreover, termination of this Investigation as to NVIDIA pursuant to the license and settlement Agreement will not have any adverse impact on the public health and welfare and/or competitive conditions in the United States. Accordingly, the Administrative Law Judge is authorized to issue an initial determination terminating this investigation pursuant to 19 C.F.R. § 210.21(b).

Counsel for the Settling Parties have consulted with the other Respondents and with Commission Investigative Staff Attorney regarding this motion. The other Respondents indicated that they will take a position, if any, upon reviewing the motion. Commission Investigative Attorney will provide the position of the Office of Unfair Import Investigations after reviewing these papers in more detail.

For the foregoing reasons, the Settling Parties respectfully request that the Administrative Law Judge grant this motion and issue an initial determination terminating this Investigation with respect to NVIDIA only based on the accompanying Agreement.

¹ See also *Certain Equipment for Telecommunications or Data Communications Networks, Including Routers, Switches, and Hubs, and Components Thereof*, Inv. No. 337-TA-574, Order No. 27 at 4 (May 24, 2007) (“termination of litigation under these circumstances is generally in the public interest as settlement avoids needless litigation and conserves public resources”); *Certain Semiconductor Chips and Products Containing Same*, Inv. No. 337-TA-753, Order No. 62 at 2-3 (February 22, 2012) (granting joint motion to partially terminate investigation on grounds that termination of the investigation based on the settlement agreement would have no adverse impact on the public interest); *Certain Video Analytics Software, Systems, Components Thereof, and Product Containing Same*, Inv. No. 337-TA-795, Order No. 19 at 1-2 (February 23, 2012) (granting joint motion to terminate, and noting that “[t]he Commission has stated that ‘in the absence of extraordinary circumstances, termination of the investigation will be readily granted to a complainant during the prehearing stage of an investigation.’”) (citations omitted).

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Respectfully submitted,

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