

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

Before the Honorable E. James Gildea
Administrative Law Judge

In the Matter of

CERTAIN CONSUMER ELECTRONICS WITH
DISPLAY AND PROCESSING CAPABILITIES

INV. NO. 337-TA-884

**COMPLAINANT'S APPLICATION FOR RECOMMENDATION TO THE
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS TO
ISSUE AN ORDER/COMMISSION REQUIRING DEPOSITIONS OF EMPLOYEES
OF RESPONDENT PANASONIC CORPORATION IN OSAKA, JAPAN**

Pursuant to 19 C.F.R. § 210.26 and 210.28, Complainant Graphics Properties Holdings, Inc. ("GPH ") respectfully applies to the Administrative Law Judge ("ALJ") for a Recommendation that the United States District Court for the District of Massachusetts issue an order requiring the depositions of certain employees of Respondent Panasonic Corporation (hereinafter, "Panasonic"), located at 1006 Oaza Kadoma-shi, Kadoma 571-8501, Osaka, Japan.

See Ex. 1

GPH noticed Panasonic Corporation for deposition in this Investigation on July 17, 2013. *See Ex. 2.* GPH applied for a first Order to Take Depositions in Japan on August 8, 2013, for a set of Panasonic witnesses. Panasonic was unable to make available certain witnesses relating to Panasonic semiconductors during the initial deposition window, and GPH and Panasonic agreed to find other available dates. Panasonic subsequently agreed to make an additional witness available on September 24 and 25 in Osaka, Japan, to testify on the remaining topics related to Panasonic semiconductors. The District Court order GPH seeks is directed to deposition testimony from the following Panasonic employee, who has volunteered to offer testimony at the United States Consulate in Osaka, Japan:

Shinichi Marui

GPH has reserved rooms at the Consulate General of the United States of America, Osaka-Kobe for these depositions beginning on or about September 24, 2013, and continuing until on or about September 25, 2013. *See* Ex. 3.

Pursuant to Consulate rules, the deposition testimony sought by GPH is unavailable absent an order from a United States District Court that the depositions take place at the United States Consulate in Osaka, Japan, or an order compelling deposition testimony at a location outside of Japan, such as the United States. In the past, the International Trade Commission has issued, and the United States District Court for the District of Massachusetts has acted in accordance with, recommendations similar to the proposed Recommendation attached to this application. *See e.g., Certain Consumer Electronics and Display Devices and Products Containing Same*, Inv. No. 337-TA-836, Order No. 10, (granting complainant's motion seeking issuance of a recommendation that the District Court for the District of Massachusetts issue orders to obtain deposition testimony from respondents in Japan).

GPH therefore respectfully requests that the ALJ issue a Recommendation to the United States District Court for the District of Massachusetts to issue an order requiring the depositions of the above-named Panasonic employees. Panasonic does not oppose this request. Staff, AmTran Technology Co., Ltd., AmTran Logistics, Inc., Toshiba Corporation, Toshiba America, Inc., Toshiba America Information Systems, Inc. and VIZIO, Inc. have not stated their position for this request. GPH further requests that such a Recommendation be issued on an expedited basis given the relevance and importance of the information at issue and the limited time to obtain the necessary order from the United States District Court for

the District of Massachusetts. To ease the burden on the ALJ, a proposed Recommendation is attached for consideration. *See* Ex. 4.

Dated: August 26, 2013

Respectfully submitted,



Michael T. Renaud
James M. Wodarski
Michael J. McNamara
Jack C. Schechter
Michael C. Newman
Daniel B. Weinger
Mintz, Levin, Cohn, Ferris, Glovsky and
Popeo, P.C.
One Financial Center
Boston, MA 02110
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***Counsel for Complainant Graphics
Properties Holdings, Inc.***

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

In the Matter of

CERTAIN CONSUMER ELECTRONICS WITH
DISPLAY AND PROCESSING CAPABILITIES

Misc. Action No. 13-mc-
**ORDER TO TAKE DEPOSITIONS
IN OSAKA, JAPAN**

DEPOSITION ORDER

TO: Any Consul or Vice Consul of the United States of America
Chief, American Citizen Services Unit
American Consulate General Osaka-Kobe
United States Consulate
11-5 Nishitenma 2-chome, Kita-ku
Osaka 530-8543, Japan

Upon unopposed motion by Complainant Graphics Properties Holdings, Inc. ("GPH"),
and pursuant to Article 17 of the United States-Japan Consular Convention, it is hereby

ORDERED that the depositions on notice of the following individuals be taken at the
U.S. Consulate Osaka-Kobe, 11-5 Nishitenma 2-chome, Kita-ku, Osaka 530-8543, Japan,
commencing on or about September 24, 2013, and continuing until on or about September 25,
2013, and that the marking of any documentary exhibits in connection therewith be permitted:

Shinichi Marui

Listed below are the names of counsel who may participate in these depositions, together
with other persons who may attend or assist with these depositions.

For Complainant GPH

Michael T. Renaud (counsel)

James M. Wodarski (counsel)

Michael J. McNamara (counsel)
Aarti Shah (counsel)
Stephen P. Cole (counsel)
Andrew H. DeVoogd (counsel)
Courtney M. Quish (counsel)
Jack C. Schechter (counsel)
Daniel B. Weinger (counsel)
Valery D. Thompson (technology specialist)
Matthew S. Galica (technology specialist)
Glenn Reinman (expert)
William Mangione-Smith (expert)
Tamer Rizk (expert)
Manish Bhardwaj (expert)
Karen Claire Young (court reporter)
Cynthia Renee Ott (court reporter)
Robert Vance Short (court reporter)
Leslie Anne Todd (court reporter)
Susan Dena Wasilewski (court reporter)
Melanie Louise Giamarco (court reporter)
Deborah Ruth Marshall (court reporter)
Lisa A. Knight (court reporter)
Tracy LoCastro (court reporter)
James Vernon Beasley (court reporter)
Jodi Beth Harmon (court reporter)
Keith Shreckengast (court reporter)
Peter Au (videographer)
Inga Kornev (videographer)
Paul James Hischier (videographer)
Zachary Clyde Hone (videographer)
Richard McCaslin Sanborn (videographer)
Jeremy Michael Dineen (videographer)
Zachary Jonah Arnson-Serotta (videographer)
David Matthew Andre (videographer)

Masahiro Toiya (interpreter)
(interpreter)

For Respondents Panasonic Corporation

Steven J. Routh (counsel)
Sten A. Jensen (counsel)
William H. Wright (counsel)
Diana M. Szego (counsel)
(interpreter)
(interpreter)
(Panasonic observer)
(Panasonic observer)
(Panasonic observer)

For U.S. International Trade Commission OUII Staff

Matthew Bathon (staff attorney)

Please cause the testimony of said witnesses to be recorded by video and reduced to writing; the deposition to be signed by said witnesses; said deposition testimony to be annexed to your Commission and closed under your seal; and make return of these materials to this Court with all convenient speed.

WITNESS, The Honorable _____, United States District Judge of the United States District Court for the District of Massachusetts, this ____ day of _____, 2013.

United States District Judge
United States District Court
District of Massachusetts
John Joseph Moakley U.S. Courthouse
1 Courthouse Way, Suite 2300
Boston, Massachusetts 02210

I hereby certify that the signature above is that of The Honorable _____,
United States District Judge of the United States District Court for the District of Massachusetts.

_____ Clerk of the Court

_____ Date

Deputy Clerk: _____

Seal:

22140026v.1

EXHIBIT 2

UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.
Before The Honorable E. James Gildea
Administrative Law Judge

In the Matter of)

CERTAIN CONSUMER ELECTRONICS)
WITH DISPLAY AND)
PROCESSING CAPABILITIES)

Investigation No. 337-TA-884

**GRAPHICS PROPERTIES HOLDINGS, INC.'S. FIRST NOTICE OF
DEPOSITION OF RESPONDENTS PANASONIC CORPORATION AND
PANASONIC CORPORATION OF NORTH AMERICA**

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 30(b)(6), Commission Rule 210.28, and Ground Rule 3.4.1 Complainant Graphics Properties Holdings, Inc. ("GPH"), by and through its counsel, will take the deposition of Panasonic Corporation and Panasonic Corporation Of North America (collectively "Panasonic") beginning on August 26, 2013 at the Consulate in Osaka, Japan, or at such other date, time, and/or location as agreed to, and continuing day to day, excluding Saturdays, Sundays and holidays, until completed. The deposition will be stenographically recorded and may be videotaped. You are invited to attend and examine the witness.

As required under Fed. R. Civ. P. 30(b)(6) and Commission Rule 210.28, Panasonic shall designate one or more officers, directors, managing agents, or other person(s) who consent to testify on its behalf concerning the deposition topics set forth in Attachment B. The definitions in Attachment A apply to the deposition topics identified in Attachment B. GPH requests that Panasonic identify, for each person designated, the deposition topic(s) on which that person will testify. GPH requests that Panasonic make a searchable electronic copy of the Source Code available on a stand-alone computer during the deposition.

Dated: July 17, 2013

Respectfully Submitted,

/s/ Daniel Weinger

Michael T. Renaud

James M. Wodarski

Michael J. McNamara

Jack C. Schechter

Michael C. Newman

Daniel B. Weinger

Mintz, Levin, Cohn, Ferris, Glovsky and
Popeo, P.C.

One Financial Center

Boston, MA 02110

Phone: (617) 542-6000

Fax: (617) 542-2241

Counsel for Complainant

Graphics Properties Holdings, Inc.

ATTACHMENT A

DEFINITIONS

1. “Panasonic” means Respondents Panasonic Corporation and Panasonic Corporation of North America, collectively, including any and all past and present direct and indirect parents, subsidiaries, affiliates, divisions, business units, predecessors in interest, and agents, as well as Panasonic’s attorneys.
2. “You” and “Your(s)” refer to Panasonic.
3. “GPH” means Complainant Graphics Properties Holdings, Inc.
4. “Document(s)” has the same meaning that it has under Federal Rule of Civil Procedure 34 and Commission Rule 210.30, and includes electronically stored information as specified in Federal Rule of Civil Procedure 34. “Document(s)” also includes the files in which any such Document(s) is or are maintained.
5. “Asserted Patents” means, collectively, U.S. Patent Nos. 5,717,881 (“the ‘881 Patent”), 6,650,327 (“the ‘327 Patent”), and 8,144,158 (“the ‘158 Patent”).
6. “Respondents” means Panasonic Corporation, Panasonic Corporation of North America, Toshiba Corporation, Toshiba America, Inc., Toshiba America Information Systems, Inc., Vizio, Inc., AmTran Logistics, Inc., and AmTran Technology Co., Ltd.
7. “Third Party” or “Third Parties” means any person or entity other than GPH or Respondents.
8. “Source Code” means human-readable programming language text that defines software, firmware, and/or hardware. Source Code includes, but is not limited to, files containing code in “C”, “C++”, “Java”, and assembly program languages for, but not limited to, DSP and any programmable processors. Source Code further includes but is not limited to “include” files, “make” files, “link” files, “build” files, and other human readable text files used in the generation and/or building of software directly executed on an application processor, baseband processor, micro-controller, or DSP. The term “software” as used above is meant to include but is not limited to operating systems as well as operating system kernels, libraries and DLL's, compiled programs, applications, and drivers. Source Code files also include, but are not limited to files containing Source Code in VHDL, Verilog, and other Hardware Description Language (“HDL”) formats, including but not limited to, Register Transfer Level (“RTL”) descriptions.
9. The term “New Panasonic Product(s)” means all Panasonic consumer electronics with display and processing capabilities that are under development and that are likely to be imported into the United States, sold for importation into the United States, and/or sold within the United States after importation prior to the close of the evidentiary record in this Investigation (“New Panasonic Products”).

10. The term “Panasonic Products” means (1) Panasonic devices imported into the United States, sold for importation into the United States, and/or sold within the United States after importation that are consumer electronics with display and processing capabilities; and (2) Panasonic devices that will be imported into the United States, sold for importation into the United States, and/or sold within the United States after importation that are consumer electronics with display and processing capabilities; (3) Panasonic Future Products; (4) any product made by Panasonic which falls under the scope of the investigation as defined by the notice of investigation; (5) at least any Panasonic devices provided to Panasonic which are imported into the United States, sold for importation into the United States, and/or sold within the United States after importation; and (6) all New Panasonic Products.

ATTACHMENT B

TOPICS

1. All activities undertaken to meet Your document-related discovery obligations in this Investigation, including the identification of all Panasonic personnel that searched for documents responsive to GPH's discovery requests, the date(s) You performed each search, and the identity and location of all document repositories – including without limitation centralized and non-centralized servers or networks; shared drives; email servers; hard copy files; engineer, developer, researcher, consultant and employee desktop and/or laptop computers; and databases containing electronically stored information relating to the GPH Products that GPH identified and/or searched in responding to GPH's discovery requests.
2. All steps Panasonic has taken to preserve documents relating to this Investigation and/or the Panasonic Products, including but not limited to: (a) all steps taken in accordance with Panasonic's document retention policy as administered during the normal course of business; (b) all steps taken that differ from Panasonic's document retention policy as administered during the ordinary course of business; and (b) all Panasonic personnel involved in the preservation of documents relating to the Investigation and/or responsive to any discovery GPH has served on Panasonic in this Investigation.
3. The location and identity of all Panasonic documents relating to this Investigation and/or responsive to any discovery GPH has served on Panasonic in this Investigation, including but not limited to: (a) all repositories of electronically stored information and hard copy documentation relating to the Panasonic Products; and (b) all file and/or storage formats for all such documents.
4. The location and identity of all documents created for or during the development of the Panasonic Products, including but not limited to: (a) documents describing the design and development process for each Panasonic Product, such as design specifications, schematics, diagrams, source code, design documents, specifications, and all other technical documentation describing the structure, function, and/or operation of each Panasonic Product; and (b) all file and/or storage formats for all such documents.
5. All nomenclature that Panasonic uses to refer to the Panasonic Products, including but not limited to: (a) all sales, marketing, finance, engineering, or Panasonic departmental names or identifications for each Panasonic Product; (b) all marketing, engineering, design, or Panasonic departmental names used in the development process for each Panasonic Product; (c) the identity and location of all documents describing the nomenclature that refers to the Panasonic Products; and (d) all file and/or storage formats for all such documents.
6. The location and identity of all documents relating to the Panasonic Products and any Third Party supplier of component parts or Source Code used in the Panasonic Products, including but not limited to those relating to application processors, central processing units (CPU), and graphics processing units (GPU), including but not limited to (a) all

repositories of electronically stored information and hard copy documentation, and (b) all file and/or storage formats for all such documents.

7. All types of technical documentation (*e.g.*, technical reference manuals, application notes, etc.) that Panasonic has received, or has access to, including but not limited to technical documentation stored and accessed on a secure website, from all Third Parties including but not limited to Third Parties providing application processors, central processing units (CPU), or graphics processing units (GPU), and Source Code, used in or relating to the Panasonic Products and how Panasonic accesses and uses such Third Party documentation.
8. The identity and location of all documents Panasonic received from Third Parties relating to components or Source Code utilized in the Panasonic Products.
9. All steps that Panasonic has taken to search for and produce documents in response to the discovery served on Toshiba by GPH in this Investigation and/or relating to the Panasonic Products that relate to any Third Party, including but not limited to documents relating to the application processors, central processing units (CPU), or graphic processing units (GPU), including, but not limited to: (a) all locations that Panasonic searched, the identity of all individuals involved in Toshiba's search(es), and the date(s) that Panasonic performed each search; (b) all steps that Panasonic has taken to obtain consent from any Third Party to produce such documents or materials, including but not limited to Source Code to GPH; and (c) the identity of all Third Party personnel who Panasonic contacted to obtain consent to produce third party documentation to GPH and the date(s) for each contact Panasonic had with such Third Party personnel.
10. The identity and location of all documents relating to any patent license(s) and/or covenant(s) not to sue that relate to the Panasonic Products.
11. The identity and location of all communications and documents relating to Panasonic's indemnification request(s) arising from GPH's allegations that the Panasonic Products infringe the Asserted Patents, including but not limited to all file and/or storage formats for all such documents.
12. All indemnification request(s) arising from GPH's allegations that the Panasonic Products infringe the Asserted Patents.
13. The identity and location of the manufacturer(s) and manufacturing facilities for each Panasonic Product and the importation process for each Panasonic Product and, including, but not limited to: (a) how each Panasonic Product is transferred from the manufacturer to a retailer that sells the Panasonic Products or offers the Panasonic Products for sale in the United States; (b) the identity of each Panasonic entity and/or Third Party that holds title to the Panasonic Products during each step of the importation process described in sub-part (a); and (c) the identity of each owner, importer and consignee involved in the importation process described in sub-part (a).
14. For each Panasonic Product, (a) the total number of Panasonic Products imported into the United States, sold for importation into the United States, and/or sold within the United

States after importation on a monthly basis from January 1, 2013 to the present; and (b) the total number of Panasonic Products that Toshiba projects to import into the United States, sell for importation into the United States, and/or sell within the United States after importation from the present until the target date for completion of this Investigation, set for October 27, 2014.

15. The total quantity of Panasonic Products that (a) Panasonic holds title to and that are located in the United States, and (b) to the extent not accounted for in sub-part (a), the total quantity of Panasonic Products that are within Panasonic's possession, custody, or control and located in the United States.
16. Panasonic's corporate organization and departmental structure relating to the engineering, design and development of the Panasonic Products.
17. All types (*e.g.*, specifications, guides, manuals, etc.) of: (a) Panasonic's technical documents and (b) Third Party technical documents, relating to the Toshiba Products for each of the following: (i) graphics processing units in each Panasonic Product; and (ii) processor using the ARMv7 or ARMv8 instruction set in each Panasonic Product.
18. The engineering, design, research and/or development of the Panasonic Products, including without limitation the identity of the individuals and/or Third Parties involved in the engineering, design, research and/or development and their duties; the identity of records relating to or supporting the engineering, design, research and/or development of the Panasonic Products; and/or Your decision to engineer, design, research and/or develop the Panasonic Products.
19. The planning, production, and release schedule of New Panasonic Products that are likely to include an ARM Cortex computer processing unit (CPU), a Qualcomm CPU, and/or a graphics processing unit (GPU); the identity of individuals and/or Third Parties involved in the planning, design, research and/or development of New Panasonic Products.
20. The role played by any Third Party in the engineering, design, research and/or development of the Panasonic Products, or any part thereof, including without limitation the relationship between You and any Third Party related to the engineering, design, research and/or development of the Panasonic Products; the circumstances under which that relationship arose; and the reason for the involvement of any Third Party in the engineering, design, research and/or development of the Panasonic Products.
21. The engineering, development, design, ownership and location of the hardware, firmware and software components (including Source Code) of the Panasonic Products.
22. All information, facts, documents and bases relating to your contention that the claims of the Asserted Patents are not infringed by the Panasonic Products, or the use thereof, including but not limited to all information, facts, documents and bases, if any, upon which Panasonic relied to support Panasonic's Response to GPH's Interrogatory No. 12.

23. All information, facts, documents and circumstances relating to Panasonic's right or ability to access Third Party technical documents relating to any component parts (including Source Code) of the Panasonic Products.
24. All information, facts, documents and circumstances relating to any agreements between Panasonic and any Third Party who supplies component parts (including but not limited to Source Code) used in Panasonic Products.
25. All information, facts, documents and circumstances relating to products, services or technologies which infringe or practice the inventions of the Asserted Patents.
26. The structure, function, and operation of the Panasonic Products, including but not limited to the structure, function, and operation of: (a) all hardware, firmware, and application processors within the Panasonic Products; and (b) all Source Code within the Panasonic Products.
27. For each Panasonic Product, the structure, function, operation, and implementation of:
 - (a) the application processor (*e.g.*, Qualcomm Snapdragon, TI OMAP, NVIDIA Tegra, Panasonic Uniphier) in each Panasonic Product including the graphics processing unit (GPU), central processing unit (CPU), hardware interconnections between the GPU and the display, firmware, drivers, and software, and Source Code.
 - (b) the graphics processing unit (GPU) in each Panasonic Product, including hardware, display interconnections, firmware, drivers, and software relating to the GPU;
 - (c) the processor in each Panasonic Product, including the processing of ARM Thumb and Thumb-2 instructions; and
28. The identification, structure, function, and operation of the application processor, central processing unit (CPU), and the graphics processing unit (GPU) in each product in the Panasonic "Smart TV" series.
29. The structure, function, operation, and implementation of the Qualcomm GPUs (*e.g.*, Adreno) used in the Panasonic Products.
30. The structure, function, operation, and implementation of the Qualcomm processors (*e.g.*, Scorpion, Krait) used in the Panasonic Products.
31. The structure, function, operation, and implementation of the Imagination Technologies GPUs (*e.g.*, PowerVR SGX) used in the Panasonic Products.
32. The structure, function, operation, and implementation of the ARM GPUs (*e.g.*, Mali) used in the Panasonic Products.

33. The structure, function, operation, and implementation of the ARM processors (*e.g.*, ARM Cortex A9, Cortex A8, Cortex A5) used in the Panasonic Products.
34. The processing of instructions from the instruction sets (*e.g.*, ARMv7, ARMv8) used in the Panasonic Products.
35. The function, operation, and implementation of OpenGL in the Panasonic Products.
36. The function, operation, and implementation of display drivers in the Panasonic Products.
37. All information, facts, documents and bases, if any, upon which Panasonic relied to support its Response to the Complaint and Notice of Investigation.
38. Any communications regarding or relating to the infringement, validity, and/or licensing of the Asserted Patents, including without limitation the identity of those persons who engaged in such communications; the dates of such communications; the content of such communications; and the identity of any documents recording or relating to such communications.
39. All information, facts and documents relating to the circumstance(s) and dates by which You first learned of the existence of the Asserted Patents and/or the inventions described in the Asserted Patents.
40. All information, facts, documents and circumstances relating to any communications between You and any other Respondent regarding any of the Asserted Patents or the technology of any of the Asserted Patents.
41. All information, facts, documents and circumstances relating to any purported joint defense group(s) or joint defense agreement(s) involving one or more of the Respondents.
42. Any communications concerning or relating to any purported joint defense group(s) or joint defense agreement(s) involving one or more of the Respondents, including without limitation the identity of those persons who engaged in such communications; the dates of such communications; the content of such communications; and the identity of any documents recording or relating to such communications.
43. All information, facts, documents and circumstances relating to any purported joint defense group(s) or joint defense agreement(s) involving Panasonic and any Third-Party that relates in any way to the subject matter of this Investigation.
44. Any communications concerning or relating to any purported joint defense group(s) or joint defense agreement(s) involving Panasonic and any Third-Party that relates in any way to the subject matter of this Investigation, including, without limitation, the identity of those persons who engaged in such communications; the dates of such communications; the content of such communications; and the identity of any documents recording or relating to such communications.

45. All information, facts, documents and circumstances relating to any communications between You and any other Third-Party regarding any of the Asserted Patents or the technology of any of the Asserted Patents.
46. For each Panasonic Product: (a) the selling price of the product in the United States; (b) the cost to manufacture the product; (c) the cost of the processor (*e.g.*, Qualcomm MSM8x55, QSD8x50, MSM8x60, Texas Instruments OMAP 4430, OMAP 3630, Panasonic Uniphier) in the product.
47. For each processor made by Panasonic, the identity of each: (a) the identity of every third-party to whom Panasonic provides a Panasonic processor; (b) the identity of every third-party product which incorporates a processor made by Panasonic; and (c) the identity and location of the manufacturer(s) and manufacturing facilities for each product incorporating a Panasonic processor and the importation process for each product incorporating a Panasonic processor and, including, but not limited to: (1) how each Panasonic Product is transferred from the manufacturer to a retailer that sells the Panasonic Products or offers the Panasonic Products for sale in the United States; (2) the identity of each Panasonic entity and/or Third Party that holds title to the Panasonic Products during each step of the importation process described in sub-part (1); and (3) the identity of each owner, importer and consignee involved in the importation process described in sub-part (1).

United States International Trade Commission
Investigation No. 337-TA-884
Certain Consumer Electronics with Display Devices and Processing Capabilities

CERTIFICATE OF SERVICE

I, Megan A. De Renzis, hereby certify that on July 17, 2013, true and correct copies of the foregoing documents were served on the parties listed below:

| | |
|--|---|
| Matthew Bathon, Esq. Office of Unfair Import Investigations U.S. International Trade Commission 500 E Street SW, Room 112 Washington, D.C. 20436 | <input type="checkbox"/> Via Hand Delivery <input type="checkbox"/> Via Federal Express <input checked="" type="checkbox"/> Via Electronic Mail Matthew.Bathon@usitc.gov |
| <i>On Behalf of Respondents Panasonic Corporation and Panasonic Corporation of North America:</i> Steven J. Routh Sten A. Jensen Diana M. Szego T. Vann Pearce, Jr. Christopher J. Higgins Jordan L. Coyle Orrick, Herrington & Sutcliffe, LLP 1152 15th St., NW Washington, D.C. 20005 Telephone: 202-339-8400 William H. Wright Orrick, Herrington & Sutcliffe, LLP 777 South Figueroa Street Suite 3200 Los Angeles, CA 90017 Telephone: 213-629-2020 | <input type="checkbox"/> Via Federal Express <input checked="" type="checkbox"/> Via Electronic Mail 884-Panasonic@orrick.com |
| <i>On Behalf of Respondents Toshiba Corporation, Toshiba America, Inc. and Toshiba America Information Systems, Inc.</i> Paul F. Brinkman Quinn Emanuel Urquhart & Sullivan, LLP 1299 Pennsylvania Ave. NW, Suite 825 Washington, DC 20004 Tel.: (202) 538-8000 | <input type="checkbox"/> Via Federal Express <input checked="" type="checkbox"/> Via Electronic Mail Toshiba-884@quinnemanuel.com NV-Toshiba884@nixonvan.com |

United States International Trade Commission

Investigation No. 337-TA-884

Certain Consumer Electronics with Display Devices and Processing Capabilities

| | |
|--|---|
| <i>On Behalf of Respondents Vizio, Inc.</i> Cono Carrano Jin-Suk Park David Vondle Ashraf Fawzy William Storey Akin Gump Strauss Hauer & Feld LLP Robert S. Strauss Building 1333 New Hampshire Avenue, N.W. Washington, DC 20036-1564 Telephone: (202) 887-4000 | <input type="checkbox"/> Via Federal Express <input checked="" type="checkbox"/> Via Electronic Mail AG-VIZIO-884@akingump.com |
| <i>On Behalf of Respondents AmTran Logistics, Inc. and AmTran Technology Co., Ltd.</i> Jamie D. Underwood Thomas W. Davison Jennifer (Celine) Liu Christopher R. Byrnes Alston & Bird LLP 950 F Street NW Washington, DC 20004 Telephone: 202-239-3300 | <input type="checkbox"/> Via Federal Express <input checked="" type="checkbox"/> Via Electronic Mail AmTran884@alston.com |
| <i>On Behalf of Respondents ZTE Corporation, ZTE (USA) Inc. and ZTE Solutions, Inc.</i> Steven A. Moore Goodwin Procter LLP 4365 Executive Dr., 3rd Floor San Diego, CA 92121-2125 Tel: (858) 202-2731 | <input type="checkbox"/> Via Federal Express <input checked="" type="checkbox"/> Via Electronic Mail SCampbell@goodwinprocter.com kreynolds@goodwinprocter.com samoore@goodwinprocter.com SCampbell@goodwinprocter.com |

United States International Trade Commission
Investigation No. 337-TA-884
Certain Consumer Electronics with Display Devices and Processing Capabilities



Megan A. De Renzis
Legal Specialist
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Glovsky and Popeo, P.C.
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Boston, MA 02111
Direct: (617) 348-4893
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EXHIBIT 3

De Renzis, Megan

From: Osaka-Kobe, AmConGen <AOK@state.gov>
Sent: Thursday, August 22, 2013 1:42 AM
To: Weinger, Daniel
Cc: GPH ITC 2
Subject: RE: Reservation of Deposition Room: Sept. 24 & 25, 2013

Dear Mr. Weinger,

Thank you for your request for reserving our deposition room. As requested, we have tentatively reserved our small deposition room for 2 days; September 24 - 25, 2013.

Please note that your reservation will not be final until we receive the \$1,283 non-refundable reservation fee. Please send a bank's official or certified check as payment, payable to U.S. Consulate General Osaka-Kobe, to: Chief, American Citizen Services Unit, U.S. Consulate General Osaka-Kobe, 11-5 Nishitenma 2-chome, Kita-ku, Osaka 530-8543 Japan, as soon as possible.

Please also be reminded that we would also need the deposit and a certified copy of the court order at least 3 weeks prior to the start date: by August 30, 2013.

For more details about deposition procedures, please visit our website at <http://japan.usembassy.gov/e/acs/tacs-7116.html>

Reservation Policies:

- *The \$1,283 non-refundable reservation fee must be paid within three calendar weeks of initial reservation. Failure to pay the reservation fee results in losing the booked dates without notice.*
- *The deposit for statutory deposition fee (\$309.00 x number of days) and a certified copy of the court order/commission must arrive at the Consulate six weeks prior to the start date. Your reservation may be cancelled without further notice if the deposit and a certified copy of the court order/commission are not received.*
- *A list of all participants including other parties involved and a list of all electronic equipment to be used in the deposition room must be submitted at least one week prior to the start date for security pre-screening purposes. Addition of participants or equipment to the submitted list after that date to start date of deposition will not be accepted. Failure to submit the complete lists, both participants and the equipment, will result in losing access to the deposition room. For more details about the lists, please visit <http://japan.usembassy.gov/e/acs/tacs-7116.html>.*

Please contact us if you have any questions.

American Citizen Services/mk
U.S. Consulate General Osaka-Kobe
11-5 Nishitenma 2-chome | Kita-ku, Osaka 530-8543 | Japan
Ph: +81 6 6315 5912 | F: +81 6 6315 5914
<http://japan.usembassy.gov> | <http://travel.state.gov>
List of Embassy Holidays: <http://japan.usembassy.gov/e/acs/tacs-holidays.html>

From: Weinger, Daniel [mailto:DBWeinger@mintz.com]
Sent: Thursday, August 22, 2013 10:19 AM
To: Osaka-Kobe, AmConGen
Cc: GPH ITC 2
Subject: RE: Reservation of Deposition Room: Sept. 24 & 25, 2013

Hi,

Thank you. I will take the small room as those dates are set. Please confirm and we will start the process of getting the consulate all the paperwork it requires.

Thank you,

Dan

From: Osaka-Kobe, AmConGen [<mailto:AOK@state.gov>]
Sent: Wednesday, August 21, 2013 8:55 PM
To: Weinger, Daniel
Cc: GPH ITC 2
Subject: RE: Reservation of Deposition Room: Sept. 24 & 25, 2013

Dear Mr. Weinger,

We only have the small room available on those days. If the number of expected participants is relatively small (up to 8 people), we can tentatively reserve the room for your use. If you prefer the large one, no dates available until after October 21, 2013 as of today. Please refer to the attached booking schedule listing the dates that are already reserved.

Please contact us again if you have any questions.

American Citizen Services/mk
U.S. Consulate General Osaka-Kobe
11-5 Nishitenma 2-chome | Kita-ku, Osaka 530-8543 | Japan
Ph: +81 6 6315 5912 | F: +81 6 6315 5914
<http://japan.usembassy.gov> | <http://travel.state.gov>
List of Embassy Holidays: <http://japan.usembassy.gov/e/acs/tacs-holidays.html>

SBU

This email is UNCLASSIFIED.

From: Weinger, Daniel [<mailto:DBWeinger@mintz.com>]
Sent: Thursday, August 22, 2013 8:07 AM
To: Osaka-Kobe, AmConGen
Cc: GPH ITC 2
Subject: Reservation of Deposition Room

Hi,

Some time ago you sent me an updated deposition schedule which I cannot locate. I would like to reserve the large deposition room for September 24 and 25, for the case of Certain Consumer Electronics with Display and Processing Capabilities, Inv. No. 337-TA-884 in the International Trade Commission, Washington, DC. I realize this is short notice, and we are working to get the deposition order issued at this time.

Please let me know if those dates are still available.

Regards,

Dan

EXHIBIT 4

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN CONSUMER ELECTRONICS
WITH DISPLAY AND PROCESSING
CAPABILITIES**

Inv. No. 337-TA-884

**Recommendation to the United States District Court for the District of Massachusetts to
Issue an Order/Commission for the Taking of Depositions in Japan**

On August 8, 2013, Complainant Graphics Properties Holdings, Inc. filed with the United States International Trade Commission an application for a recommendation to the District Court for the District of Massachusetts to issue an Order/Commission requiring depositions of employees of Respondent Panasonic Corporation (“Panasonic”) in Japan. Complainant requests assistance in obtaining deposition testimony from:

Shinichi Marui

relating to an investigation into certain consumer electronics with display and processing capabilities, Inv. No. 337-TA-884, such depositions to take place on or about September 24, 2013, through on or about September 25 2013, at the United States Consulate in Osaka, Japan. The other parties to the Investigation do not oppose Complainant's application.

On July 25, 2013, the procedural schedule issued in this Investigation, directing that fact discovery be completed by October 25, 2013, with an evidentiary hearing scheduled for March 18-26, 2014. (Order No. 13.) In addition, the parties were ordered at the outset of the Investigation “to promptly commence and respond to discovery.” (Order No. 2.)

It is requested that the District Court grant Complainant's motion for an Order/Commission to obtain the Panasonic employee depositions in connection with discovery for the above-identified Investigation at the U.S. International Trade Commission. It is also

recommended to the District Court that an Order/Commission of the scope requested by
Complainant be granted.

E. James Gildea
Administrative Law Judge
U.S. International Trade Commission
500 E. Street, S.W.
Washington, D.C. 20436

Dated: August __, 2013

United States International Trade Commission
Investigation No. 337-TA-884
Certain Consumer Electronics with Display Devices and Processing Capabilities

CERTIFICATE OF SERVICE

I, Megan A. De Renzis, hereby certify that on August 26, 2013, true and correct copies of the forgoing document was served on the parties listed below:

| | |
|---|--|
| <p>The Honorable Lisa R. Barton, Acting Secretary U.S. International Trade Commission 500 E Street, S.W., Room 112 Washington, DC 20436</p> | <p><input checked="" type="checkbox"/> Via EDIS</p> <p><input checked="" type="checkbox"/> Via Federal Express (2 Copies)</p> |
| <p>The Honorable E. James Gildea Administrative Law Judge U.S. International Trade Commission 500 E Street, S.W., Room 317 Washington, DC 20436</p> | <p><input type="checkbox"/> Via Hand Delivery</p> <p><input checked="" type="checkbox"/> Via Federal Express (2 Copies)</p> <p><input checked="" type="checkbox"/> Via Electronic Mail sarah.zimmerman@usitc.gov kenneth.schopfer@usitc.gov</p> |
| <p>Matthew Bathon, Esq. Office of Unfair Import Investigations U.S. International Trade Commission 500 E Street SW, Suite 401 Washington, D.C. 20436</p> | <p><input type="checkbox"/> Via Hand Delivery</p> <p><input checked="" type="checkbox"/> Via Federal Express</p> <p><input checked="" type="checkbox"/> Via Electronic Mail Matthew.Bathon@usitc.gov</p> |
| <p><i>On Behalf of Respondents Panasonic Corporation and Panasonic Corporation of North America:</i></p> <p>Steven J. Routh Sten A. Jensen Diana M. Szego T. Vann Pearce, Jr. Christopher J. Higgins Jordan L. Coyle Orrick, Herrington &Sutcliffe, LLP 1152 15th St., NW Washington, D.C. 20005 Telephone: 202-339-8400</p> <p>William H. Wright Orrick, Herrington &Sutcliffe, LLP 777 South Figueroa Street Suite 3200 Los Angeles, CA 90017 Telephone: 213-629-2020</p> | <p><input type="checkbox"/> Via Federal Express</p> <p><input checked="" type="checkbox"/> Via Electronic Mail 884-Panasonic@orrick.com</p> |

United States International Trade Commission
Investigation No. 337-TA-884
Certain Consumer Electronics with Display Devices and Processing Capabilities

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| <p><i>On Behalf of Respondents Toshiba Corporation, Toshiba America, Inc. and Toshiba America Information Systems, Inc.</i></p> <p>Paul F. Brinkman Marissa R. Ducca Patrick A. Fitch Quinn Emanuel Urquhart & Sullivan, LLP 1299 Pennsylvania Ave. NW, Suite 825 Washington, DC 20004 Tel.: (202) 538-8000 Fax: (202) 538-8100</p> <p>Carey R. Ramos Edward J. DeFranco Matthew Traupman Quinn Emanuel Urquhart & Sullivan, LLP 51 Madison Avenue, 22nd Floor New York, New York 10010 Tel.: (212) 849-7000 Fax: (212) 849-7100</p> <p>Michael J. Shea Updeep S. (Mickey) Gill Nixon & Vanderhye P.C. 901 N. Glebe Road, 11th Floor Arlington, VA 22203 Tel: (703) 816-4000 Fax: (703) 816-4100</p> | <p><input type="checkbox"/> Via Federal Express</p> <p><input checked="" type="checkbox"/> Via Electronic Mail Toshiba-884@quinnemanuel.com NV-Toshiba884@nixonvan.com</p> |
| <p><i>On Behalf of Respondents VIZIO, Inc.</i></p> <p>Cono Carrano Jin-Suk Park David Vondle Ashraf Fawzy William Storey Akin Gump Strauss Hauer & Feld LLP Robert S. Strauss Building 1333 New Hampshire Avenue, N.W. Washington, DC 20036-1564 Telephone: (202) 887-4000</p> | <p><input type="checkbox"/> Via Federal Express</p> <p><input checked="" type="checkbox"/> Via Electronic Mail AG-VIZIO-884@akingump.com TW-VIZIO-884@twtlaw.com</p> |
| <p><i>On Behalf of Respondents AmTran Logistics, Inc. and AmTran Technology Co., Ltd.</i></p> <p>Jamie D. Underwood</p> | <p><input type="checkbox"/> Via Federal Express</p> <p><input checked="" type="checkbox"/> Via Electronic Mail AmTran884@alston.com</p> |

United States International Trade Commission

Investigation No. 337-TA-884

Certain Consumer Electronics with Display Devices and Processing Capabilities

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| Thomas W. Davison Jennifer (Celine) Liu Christopher R. Byrnes Alston & Bird LLP 950 F Street NW Washington, DC 20004 Telephone: 202-239-3300 | |
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