

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ADVANCED MICRO DEVICES, INC.; and ATI
TECHNOLOGIES ULC,

Plaintiffs,

v.

TCL INDUSTRIES HOLDINGS CO., LTD.; TCL
INDUSTRIES HOLDINGS (H.K.) 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 TECHNOLOGIES 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; TCL OVERSEAS MARKETING
LTD.; and REALTEK SEMICONDUCTOR
CORP.,

Defendants.

C. A. NO. 2:22-CV-00134

JURY TRIAL DEMANDED

**TCL'S SECOND UNOPPOSED MOTION FOR EXTENSION OF TIME TO ANSWER
OR OTHERWISE RESPOND TO THE COMPLAINT**

Plaintiffs Advanced Micro Devices, Inc. and ATI Technologies ULC (collectively, “AMD”) filed the Complaint in this action on May 5, 2022 (Dkt. 1) against, among others, defendants TCL Industries Holdings Co. Ltd., TCL Industries Holdings (H.K.) 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 Technologies Co., Ltd.—correct name TCL New Technology Co., Ltd.—, TCL MOKA

International Limited, and 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”).

AMD alleges to have served six of the TCL entities on May 17 and May 18, 2022. (Dkt. 11–16.) AMD believes that the service on these six entities was proper, whereas TCL disputes that this service was proper. AMD has not yet served the remaining seven TCL entities.

On June 7, 2022, TCL filed a first unopposed application for extension of time for the six served TCL entities to respond to the Complaint. (Dkt. 17.) The Court granted the first unopposed application, and the current deadline for response to the Complaint is July 7, 2022.

TCL and AMD have reached an agreement whereby TCL will waive service of the complaint for all TCL entities in exchange for an extension of time to respond to the Complaint to August 22, 2022.

Based on the foregoing, TCL moves for a second unopposed extension of time to answer or otherwise respond to the Complaint for an additional 45 days, to and through August 22, 2022.¹ The requested extension is not sought for any improper purpose and would not unduly prejudice any part or suit. In fact, the collective 75 days of extension of time to answer for the earliest allegedly served TCL entities is less than the 90-day extension of time that would be provided under Federal Rule of Civil Procedure 4 for waiver of service by a foreign entity. Counsel for TCL has conferred with counsel for AMD. This motion is unopposed.

Therefore, TCL requests the Court extend the time to answer or otherwise respond to the Complaint to and through August 22, 2022.

¹ The 45-day period counting from July 7, 2022 ends on August 21, 2022, a Sunday. Hence, TCL seeks an extension of time to the following business day, August 22, 2022.

Dated: July 1, 2022

Respectfully submitted,

/s/ Kyle R. Canavera

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Attorneys for Defendants TCL Industries Holdings Co., Ltd.; TCL Industries Holdings (H.K.) 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 Technologies 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.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on July 1, 2022 on all counsel of record, via the Court's CM/ECF system.

/s/ Kyle R. Canavera
Kyle R. Canavera