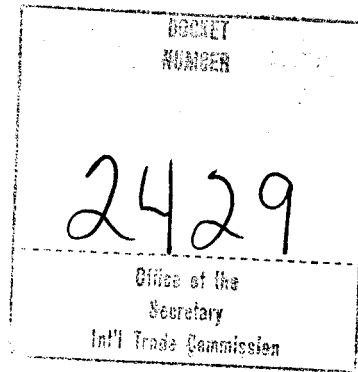


Gary M. Hnath
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gary.hnath@bingham.com

May 17, 2005

Via Hand Delivery



2005 MAY 17 11 07 AM

Bingham McCutchen LLP
Suite 800
1120 20th Street, NW
Washington, DC
20036-3406

The Honorable Marilyn R. Abbott
Secretary
United States International Trade Commission
500 E Street SW, Room 112A
Washington, D.C. 20436



202.778.6150
202.778.6155 fax

**Re: Transmittal of Complaint Under 19 U.S.C. § 1337
In the Matter of Certain DVD/CD Players and Recorders, Color Television
Receivers and Display Monitors, and Components Thereof, Inv. No. 337-TA-_____**

bingham.com

Dear Secretary Abbott:

Boston
Hartford
London
Los Angeles
New York
Orange County
San Francisco
Silicon Valley
Tokyo
Walnut Creek
Washington

Enclosed please find a Complaint Under Section 337 on behalf of the Complainants BenQ Corporation and BenQ America Corporation (collectively, "BenQ") alleging the unlawful sale for importation into the United States, importation into the United States, and the sale within the United States after importation of certain DVD/CD players and recorders, color television receivers and display monitors, and components thereof that infringe Complainants' valid and enforceable U.S. Patent No. 5,270,821 and U.S. Patent No. 6,683,842. Enclosed are the following:

1. an original and twelve (12) copies of the Complaint with signed Verifications (original and one copy unbound, without tabs) (Rules 201.6(c), 210.4(f)(3)(i) and 210.8(a));
2. an original and six (6) copies of the accompanying exhibits, with the confidential exhibits (Exhibits 11, 48, and 49) segregated from the non-confidential exhibits (Exhibits 1-10 and 12-47) (original and one copy of each unbound, without tabs) (Rules 201.6(c), 210.4(f)(3)(i) and 210.8(a));
3. one copy of the Complaint, confidential and non-confidential exhibits, and confidential and non-confidential appendices for service upon the proposed respondent (Rules 210.4(f)(3)(i), 210.8(a), and 210.11(a));
4. certified copies of the '821 and '842 patents (attached as Exhibits 4 and 8, respectively) (Rule 210.12(a)(9)(i));
5. certified copies of the assignments and change of name for the '821 patent (attached as Exhibits 5, 6, and 7 respectively) (Rule 210.12(a)(9)(ii));

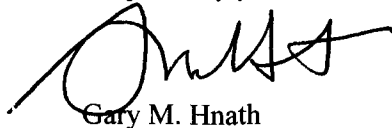
The Honorable Marilyn R. Abbott
May 16, 2005
Page 2

Bingham McCutchen LLP
bingham.com

6. certified copies of the assignment and change of name for the '842 patent (attached as Exhibits 6 and 7, respectively) (Rule 210.12(a)(9)(ii));
7. one certified and three (3) copies of the prosecution history of the '821 patent, attached as Appendix A (Rule 210.12(c)(2));
8. one informal and three (3) copies of the prosecution history of the '842 patent, attached as Appendix C (Rule 210.12(c)(2)). A certified copy of this prosecution history has been requested from the USPTO and will be filed with the Commission upon receipt;
9. four (4) copies of each patent or technical reference mentioned in the prosecution history of the '821 patent, attached as Appendix B (Rule 210.12(c)(3));
10. four (4) copies of each patent or technical reference mentioned in the prosecution history of the '842 patent, attached as Appendix D (Rule 210.12(c)(3));
11. three copies of each license agreement under the '821 and '842 patents, attached as Confidential Appendix E (Rule 210.12(c)(1));
12. a letter and certification pursuant to Commission Rules 201.6(b) and 210.5(d) requesting confidential treatment of Confidential Exhibits 11, 48, and 49 and Confidential Appendix E.

Thank you for your assistance in this matter. Please do not hesitate to contact us if you have any questions.

Respectfully yours,



Gary M. Hnath

Enclosures

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gary.hnath@bingham.com

May 16, 2005

Via Hand Delivery

The Honorable Marilyn R. Abbott
Secretary
United States International Trade Commission
500 E Street SW, Room 112A
Washington, D.C. 20436

Bingham McCutchen LLP
Suite 800
1120 20th Street, NW
Washington, DC
20036-3406

Re: Transmittal of Complaint Under 19 U.S.C. § 1337
In the Matter of Certain DVD/CD Players and Recorders, Color Television
Receivers and Display Monitors, and Components Thereof, Inv. No. 337-TA-_____

202.778.6150
202.778.6155 fax

bingham.com

Boston
Hartford
London
Los Angeles
New York
Orange County
San Francisco
Silicon Valley
Tokyo
Walnut Creek
Washington

Dear Secretary Abbott:

I am counsel for BenQ Corporation and BenQ America Corporation (collectively, "BenQ"). In accordance with Commission Rule 201.6, BenQ requests confidential treatment of the information contained in Confidential Exhibits 11, 48, and 49 and Confidential Appendix E to the Complaint.

The information for which confidential treatment is sought involves: the identities of licensees under U.S. Patent Nos. 5,270,821 (the '821 patent) and 6,683,842 ("the '842 patent") (Confidential Exhibit 11); supporting evidence for a domestic industry in connection with the asserted patents (Confidential Exhibits 48 and 49); and license agreements under the '821 and '842 patents (Confidential Appendix E).

The information described above qualifies as confidential business information pursuant to Rule 201.6(a)(1) in that:

- a) it is not available to the public;
- b) unauthorized disclosure of such information could cause substantial harm to the competitive positions of BenQ; and
- c) the disclosure of such information could impair the Commission's ability to obtain information necessary to perform its statutory functions.

The Honorable Marilyn R. Abbott
May 16, 2005
Page 2

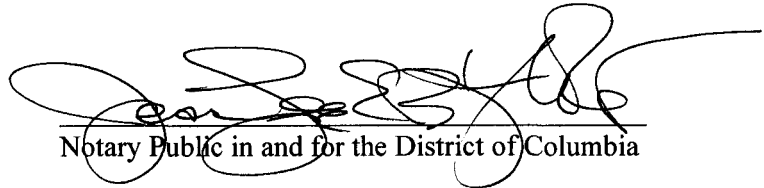
Respectfully submitted,



Gary M. Hnath

Bingham McCutchen LLP
bingham.com

SUBSCRIBED and sworn to before me on
this 16th of May, 2005.



Notary Public in and for the District of Columbia

Jennifer E. Burkholder
Notary Public, District of Columbia
My Commission Expires 1-01-2008

**UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C. 20436**

In the Matter of

CERTAIN DVD/CD PLAYERS AND
RECORDERS, COLOR TELEVISION
RECEIVERS AND DISPLAY MONITORS,
AND COMPONENTS THEREOF

Inv. No. 337-TA-____

**COMPLAINT OF BENQ CORP. AND BENQ AMERICA CORP. UNDER SECTION 337
OF THE TARIFF ACT OF 1930 AS AMENDED**

COMPLAINANTS

BenQ Corp.
157 Shan-Ying Rd, Gueishan
Taoyuan 333, Taiwan
Tel: 886-3-359-8800

BenQ America Corp.
53 Discovery
Irvine, California 92618
Tel: 949-255-9500

COUNSEL FOR COMPLAINANTS

Gary M. Hnath
Fei-Fei Chao, Ph.D.
BINGHAM McCUTCHEN LLP
1120 20th Street NW, Suite 800
Washington, DC 20036
Tel: 202-778-6150

PROPOSED RESPONDENT

Thomson Inc.
10330 N. Meridian Street
Indianapolis, IN 46290-1024
Tel: 317-587-3000

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- Exhibit 2 2004 Annual Report of BenQ Corporation
- Exhibit 3 Excerpt from Thomson website
- Exhibit 4 Certified Copy of the U.S. Patent No. 5,270,821
- Exhibit 5 Certified Copy of Assignment Dated December 16, 1991
- Exhibit 6 Certified Copy of Assignment Dated March 1, 1994
- Exhibit 7 Certified Copy of Change of Name
- Exhibit 8 Certified Copy of U.S. Patent No. 6,683,842
- Exhibit 9 Certified Copy of Assignment Dated July 19, 2001
- Exhibit 10 Certified Copy of Change of Name
- Exhibit 11 CONFIDENTIAL EXHIBIT: Identities of Licensees under the Asserted Patents
- Exhibit 12 Data Sheet for Thomson's HD52W55
- Exhibit 13 User's Guide for Thomson's HD52W55
- Exhibit 14 Data Sheet for Thomson's D52W20
- Exhibit 15 User's Guide for Thomson's D52W20
- Exhibit 16 Data Sheet for Thomson's D32F750T
- Exhibit 17 User's Guide for Thomson's D32F750T
- Exhibit 18 Data Sheet for Thomson's HD61LPW163
- Exhibit 19 User's Guide for Thomson's HD61LPW163
- Exhibit 20 Letter from William Chiang of BenQ Corp. to Michael D. O'Hara of Thomson Inc. dated May 6, 2005
- Exhibit 21 Claim Chart: '821 Patent vs. Thomson's HD52W55
- Exhibit 22 RCA Web Site Showing Accused DVD Recorder/Player Products

- Exhibit 23 Data Sheet for Thomson's DRC8005N
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- Exhibit 41 Photographs of Thomson's DRC510
- Exhibit 42 Claim Chart Demonstrating how BenQ's DV2050 LCD Television Practices Claim 13 of the '821 Patent
- Exhibit 43 Users' Manual for BenQ's DV2050
- Exhibit 44 Photographs of BenQ's DV2050

- Exhibit 45 Claim Chart Demonstrating how the BenQ's 656A CDROM Drive Practices Claim 1 of the '842 Patent
- Exhibit 46 Specification and User's Guide for BenQ's 656A CDROM Drive
- Exhibit 47 Photographs of BenQ's 656A CDROM Drive
- Exhibit 48 CONFIDENTIAL EXHIBIT: BenQ's Investment in Plant and Equipment
- Exhibit 49 CONFIDENTIAL EXHIBIT: BenQ's Employment of Labor and Capital Related to the Patented Products

INDEX OF APPENDICES

- A Prosecution history of U.S. Patent No. 5,270,821
- B Patents and technical references mentioned in the prosecution history of U.S. Patent No. 5,270,821
- C Prosecution history of U.S. Patent No. 6,683,842
- D Patents and technical references mentioned in the prosecution history of U.S. Patent No. 6,683,842
- E CONFIDENTIAL EXHIBIT: License Agreements under the Asserted Patents

INTRODUCTION

1. This Complaint is filed by BenQ Corp. and BenQ America Corp. (collectively “BenQ”) pursuant to Section 337 of the Tariff Act of 1930 as amended, 19 U.S.C. § 1337, based upon the unlawful importation into the United States, the sale for importation into the United States, and sale within the United States after importation by proposed Respondent Thomson Inc. of certain DVD/CD players and recorders, color television receivers and display monitors, and components thereof that infringe at least claims 7-11 and 13-15 of U.S. Patent No. 5,270,821 (“the ‘821 Patent”), and at least claims 1, 2, 4 and 5 of U.S. Patent No. 6,683,842 (“the ‘842 Patent”) (collectively, “the Asserted Patents”).

2. As relief, BenQ seeks an exclusion order barring from entry into the United States the accused infringing products. BenQ also seeks as relief a cease and desist order prohibiting the importation, sale, offering for sale, advertising and/or soliciting the sale of the accused infringing products.

I. THE PARTIES

A. COMPLAINANTS

3. BenQ Corp. is a Taiwanese corporation with its principal place of business at 157 Shan-Ying Rd., Gueishan, Taoyuan 333, Taiwan, ROC. BenQ Corp. is the assignee of the Asserted Patents with the right to sue for all past, present and future infringement thereof. BenQ Corp. is in the business, *inter alia*, of developing, marketing, sales, servicing and support of consumer electronics and component parts. A copy of an English language version of BenQ Corp.’s 2003 Annual Report is attached as Exhibit 1. A copy of a Chinese language version of BenQ Corp.’s 2004 Annual Report is attached as Exhibit 2 (an English language version of the 2004 Annual Report is not yet available).

4. BenQ America Corp. (“BenQ America”) is a California corporation with its principal place of business at 53 Discovery, Irvine, California 92618. BenQ America provides sales, marketing, and administrative functions in the United States relating to BenQ products, as well as return and repair services for those products as discussed further below.

5. BenQ Corp. has developed, and BenQ America markets, sells and supports in the United States, products that practice the Asserted Patents. As discussed further below, BenQ has made substantial investments, including facilities and equipment, and has employed significant labor and capital in the United States related to the patented products.

B. PROPOSED RESPONDENT

6. On information and belief, proposed Respondent Thomson Inc. (“Thomson”) is a subsidiary of Thomson SA which maintains its principal place of business at 10330 N. Meridian Street, Indianapolis, IN 46290-1024. On information and belief, Thomson is a subsidiary of Thomson SA in Boulogne, France, and is engaged in the importation into and sale in the United States of consumer electronics products, including the accused products, under the RCA brand. On information and belief, in 1986, RCA was acquired by General Electric, and in 1988, Thomson SA and/or Thomson Inc., or their predecessors or affiliates, acquired General Electric’s RCA and GE consumer electronics business. *See* Thomson website excerpt attached as Exhibit 3.

C. UNITED STATES PATENT NO. 5,270,821

7. The ‘821 Patent is entitled “Video Display Adjustment and On-Screen Menu System” and identifies James V. Samuels as the inventor. The ‘821 Patent was issued on December 14, 1993 based on an application filed on November 22, 1991. A certified copy of the ‘821 Patent is attached as Exhibit 4. A certified copy and three (3) additional copies of the

prosecution history of the '821 Patent are submitted as Appendix A. In addition, four (4) copies of each patent and technical reference identified in the prosecution history of the application leading to the issuance of the '821 Patent are submitted as Appendix B.

8. BenQ Corp. is the assignee of the '821 Patent. On December 16, 1991, the inventor assigned Application No. 07/796,411 (which later issued as the '821 patent) to Acer Inc. On March 1, 1994, Acer Inc. assigned its rights to the '821 patent to Acer Peripherals, Inc. On December 31, 2001, the name of Acer Peripherals, Inc. (and Acer Communications & Multimedia Inc.) was changed to BenQ Corporation. A certified copy of the December 16, 1991 assignment of Application No. 07/796,411 is attached as Exhibit 5. A certified copy of the March 1, 1994 assignment is attached as Exhibit 6. A certified copy of the Change of Name from Acer Peripherals, Inc. to BenQ Corporation is attached as Exhibit 7.

D. FOREIGN COUNTERPARTS TO THE '821 PATENT

9. The following is a list of all foreign counterpart patent applications and patents to the '821 Patent:

Jurisdiction	Appln. No.	Status	Patent No.
Canada	2060396	Granted	2060396
EPO	92113837.6	Granted	543089
EPO	97106525.5	Pending	
Germany	69225777T	Pending	
Japan	4-285872	Granted	3079173
Korea	1992008550	Granted Lapsed	160277
Malaysia	PI9200303	Granted	109650-A
Singapore	1992009608233	Granted Lapsed	52717
Taiwan	82207391	Granted Expired	N98569
Mexico	1992009206666	Abandoned	

10. There are no other foreign patents or foreign patent applications pending, filed, abandoned, withdrawn or rejected corresponding to the '821 Patent.

E. UNITED STATES PATENT NO. 6,683,842

11. The '842 Patent is entitled "Guiding Mechanism for Supporting a Reading-Head Moving Within a Optical Storage Carrier Player" and identifies Chun-Yi Ko as the inventor. The '842 Patent was issued on January 27, 2004, based on an application filed on July 27, 2001. A certified copy of the '842 Patent is attached as Exhibit 8. An informal copy and three (3) additional copies of the prosecution history of the '842 Patent are submitted as Appendix C. A certified copy of the prosecution history of the '842 Patent has been ordered from the PTO and will be substituted upon receipt. In addition, four (4) copies of each patent and technical reference identified in the prosecution history of the application leading to the issuance of the '842 Patent are submitted as Appendix D.

12. BenQ Corp. is the assignee of the '842 Patent. The inventor assigned the entire and exclusive right, title and interest in the '842 Patent to Acer Communications & Multimedia, Inc. The assignment was executed by the inventor on July 19, 2001. A certified copy of the assignment for the '842 patent is attached as Exhibit 9. The name of Acer Communications & Multimedia Inc. (and Acer Peripherals, Inc.) was changed to BenQ Corporation on December 31, 2001. The Change of Name document was executed on April 1, 2002. A certified copy of the Change of Name document is attached as Exhibit 10.

F. FOREIGN COUNTERPARTS TO THE '842 PATENT

13. The following is a list of all foreign counterpart patent applications and patents to the '842 Patent:

Jurisdiction	Appln. No.	Status	Patent No.
China	01219230.9	Granted	01219230.9
Taiwan	090204323	Granted	N209458

14. There are no other foreign patents or foreign patent applications pending, filed, abandoned, withdrawn or rejected corresponding to the '842 Patent.

G. LICENSES UNDER THE ASSERTED PATENTS

15. The Asserted Patents, on information and belief, are included in two cross-license agreements to which BenQ is a party. The names of the licensees under the Asserted Patents pursuant to these agreements are identified in Confidential Exhibit 11. These agreements are subject to confidentiality restrictions. BenQ has received permission from third parties to disclose these agreements under the Commission's protective order, subject to redaction of the specific financial information in the agreements. Copies of these license agreements are included in Confidential Appendix E.

H. NON-TECHNICAL DESCRIPTIONS OF THE PATENTED TECHNOLOGIES

16. The following non-technical descriptions of the Asserted Patents are not intended in any way to limit the scope of the claims of the Asserted Patents.

i. The '821 Patent

17. The '821 Patent describes a system and a method that allow a user to change parameters of a multi-frequency video display on, for example, a television screen using buttons and an on-screen menu that is displayed to the user rather than having to adjust parameters using potentiometers, such as knobs and dials on the television panel. The '821 patent provides a way to display the on-screen menu across different frequency modes that are used by, for example, a

Cathode Ray Tube (CRT), a Liquid Crystal Display (LCD), an electro-luminescent display, a rear projection CRT, and a Digital Light Processing (DLP) television (TV). More particularly, the '821 patent describes adjusting controls of a multi-frequency video display by displaying visual representations of adjustments of the video display controls, which are displayed across different frequency modes, e.g., standard and high definition TV formats. A user provides inputs for adjusting display parameters, such as contrast, brightness, tint, etc. using one or more buttons and a menu that is displayed on the TV screen. The display parameters that are stored in a memory are adjusted according to the user's adjustments. The adjusted video display parameters are provided to the TV, and the controls in the TV are adjusted so that the picture is adjusted.

ii. The '842 Patent

18. The '842 Patent describes a mechanism for carrying a reading head of an optical storage carrier player, such as a Compact Disc (CD) or Digital Video Disc (DVD) player. The mechanism provides a way to reduce the amount of force that is applied to a rod that carries the reading head so that the rod does not deform or bend. Thus, the mechanism allows the reading head to move across the rod in a stable manner and reduces the wear and damage to the rod. More particularly, the '842 patent describes a mechanism having a guiding rod, a base, a deformation portion and a fastener. The base includes a slot that is formed in the base and that is sufficiently deep to receive an end of the rod. The deformation portion is formed on an upper surface of the base. The deformation portion and the base can be separate components or they can be integrally formed as a single component. The end of the rod is placed in the slot and secured in the slot by the fastener. The combination of the thickness of the deformation portion and the depth of the slot is slightly larger than the diameter of the rod. Thus, when the fastener presses the end of the rod towards the slot, the fastener contacts the deformation portion, causing the height of the

deformation portion to be reduced so that the fastener is firmly pressed against the rod. The deformation portion can absorb forces that otherwise cause the rod to bend, thereby allowing the reading head to move back and forth across the rod in a stable manner.

II. UNLAWFUL AND UNFAIR ACTS OF THE RESPONDENTS—PATENT INFRINGEMENT - U.S. PATENT NO. 5,270,821

19. The accused HDTV television and monitor products currently known to BenQ that infringe the '821 patent include (a) RCA Model No. HD52W55, (b) RCA Model No. D52W20, (c) RCA Model No. D32F750T, and (d) RCA Model No. HD61LPW163 (collectively, the "Accused HDTV Products"). BenQ reserves the right to identify additional Thomson products that infringe the '821 patent after an opportunity for discovery.

20. The HD52W55 television is a 52" (Diagonal) HDTV which displays images in a 16:9 aspect ratio. The HD52W55 is Digital Cable Ready (DCR) and includes an Integrated Advanced Television Standards Committee (ATSC) Tuner. The HD52W55 television includes an Accurate Visual Reality (AVRTM) Cathode Ray Tube (CRT) and can decode all 16 digital television formats. For example, the HD52W55 accepts 480p and 480i signals (standard television formats) and 720p and 1080i signals (high definition formats). The HD52W55 is capable of receiving National Television Standards Committee (NTSC), Advanced Television Standards Committee (ATSC) and Digital Cable Ready (DCR) signals. The HD52W55 uses SYNCROSCAN Plus component inputs that automatically detect 720p, 1080i, 480p and 480i video formats without the need for consumer intervention. A data sheet and User's Guide describing this product are attached as Exhibits 12 and 13, respectively.

21. The D52W20 television is a 52" (Diagonal) HDTV which includes an NTSC tuner and displays images in a 16:9 aspect ratio. The D52W20 HDTV includes an InfiniFocus™

Cathode Ray Tube (CRT) that can receive and display signals in 480p standard definition 1080i high definition formats. A data sheet and User's Guide describing this product are attached as Exhibits 14 and 15, respectively.

22. The D32F750T television is a 32" (Diagonal) HDTV which includes an NTSC tuner and displays images in a 4:3 aspect ratio. The D32F750T HDTV includes a TruFlat™ CRT / Light System that can receive and display signals in 480p standard definition and 1080i high definition formats. A data sheet and User's Guide describing this product are attached as Exhibits 16 and 17, respectively.

23. The HD61LPW163 is a 61" HDTV which is Digital Cable Ready (DCR) and includes an integrated ATSC tuner. The HD61LPW163 displays images in a 16x9 aspect ratio. The HD61LPW163 HDTV includes a Digital Light Processing (DLP) engine that can display 16.7 million colors and that can receive signals in both progressive and interlaced formats. The HD61LPW163 uses SYNCROSCAN Plus component inputs that automatically detect 720p, 1080i, 480p and 480i video formats without the need for consumer intervention. The HD61LPW163 is capable of receiving NTSC, ATSC and DCR signals. A data sheet and User's Guide describing this product are attached as Exhibits 18 and 19, respectively.

24. BenQ is not submitting physical samples of the Accused HDTV Products at this time because the products are relatively large and heavy (e.g. the D52W20 weighs about 150 pounds and the HD52W55 weighs about 160 pounds), as well as relatively expensive.

25. On information and belief, Thomson sells for importation, imports into the United States, and/or sells within the United States after importation the models of the Accused HDTV Products referenced above with display systems that infringe at least claims 7-11 and 13-15 of the

'821 patent. Thomson directly infringes apparatus claims 7-11 of the '821 patent by importing into the United States, selling in the United States, and, on information and belief, using and testing in the United States the Accused HDTV Products. In addition, on information and belief, Thomson directly infringes at least method claims 13-15 of the '821 patent by using and testing the Accused HDTV Products in the United States.

26. On information and belief, Thomson induces infringement of at least method claims 13-15 of the '821 Patent by, with knowledge of the existence of the '821 patent, manufacturing, selling and/or importing into the United States the Accused HDTV Products with instructions for use in an infringing manner, and with specific intent to encourage another's infringement, as indicated in the User's Guides for these products attached as Exhibits 13, 15, 17 and 19. On information and belief, Thomson is generally knowledgeable about patents relating to consumer electronics products, including the '821 patent. Thomson's specific knowledge of the '821 patent and BenQ's claim of infringement of those patents was confirmed in a letter from BenQ to Thomson dated May 6, 2005, as copy of which is attached as Exhibit 20. On information and belief, despite such notice, Thomson continues to infringe, and induce the infringement of, the '821 patent.

27. A claim chart demonstrating how Thomson's HD52W55 HDTV is covered by representative claim 13 of the '821 Patent is attached as Exhibit 21.

III. UNLAWFUL AND UNFAIR ACTS OF THE RESPONDENTS—PATENT INFRINGEMENT - U.S. PATENT NO. 6,683,842

28. The accused products currently known to BenQ that infringe the '842 Patent include RCA DVD Recorder Model No. DRC8005N, RCA DVD Recorder Model No. DRC8300N, and RCA DVD/CD Changer Model No. DRC510N. These products are capable of

recording DVDs and are capable of playing Digital Video Discs (DVDs) and Compact Discs (CDs). These products are hereafter referred to as the “Accused DVD/CD Player/Recorder Products.” The Accused DVD/CD Player/Recorder Products are advertised on the RCA website, excerpts of which are attached as Exhibit 22. As described above, Thomson imports and sells these products in the United States under the “RCA” brand name. BenQ reserves the right to identify additional Thomson products that infringe the ‘842 patent after an opportunity for discovery.

29. The RCA DVD Recorder Model No. DRC8005N allows for up to eight hours of recording for a 4.7 Gigabyte disc. RCA DVD Recorder Model No. DRC8005N is also a progressive scan DVD player, which can play DVDs and CDs. A data sheet describing this product is attached as Exhibit 23. A User’s Guide for this product is attached as Exhibit 24.

30. The RCA DVD Recorder Model No. DRC8300N is a combination DVD recorder and VCR. Model No. DRC8300N allows for up to eight hours of recording for a 4.7 GB and provides for recording VCR tapes to a DVD. Model No. DRC8300N is also a progressive scan DVD player that can play DVDs and CDs and a VCR that can play VHS tapes. A data sheet describing this product is attached as Exhibit 25.

31. The RCA DVD/CD Changer Model No. DRC510N can hold up to five discs at one time. Model No. DRC510N plays back a variety of DVD and CD formatted discs and enables playback of JPEG files from a CD-R/RW disc in a rotating slide show format with MP3 music playback during the slide show. A data sheet and User’s Guide for Model No. DRC510N are attached as Exhibits 26 and 27, respectively.

32. BenQ is not submitting physical samples of the Accused DVD/CD Player/Recorder Products at this time because the products are relatively large and expensive.

33. On information and belief, Thomson sells for importation, imports into the United States, and/or sells within the United States after importation the accused DVD/CD Player/Recorder Products that directly infringe at least claims 1, 2, 4 and 5 of the '842 patent by importing into the United States, selling in the United States, and, on information and belief, using and testing in the United States the Accused DVD/CD Player/Recorder Products.

34. A claim chart demonstrating how Thomson's DVD Recorder Model No. DRC8005N infringes by representative claim 1 of the '842 Patent is attached as Exhibit 28.

IV. EVIDENCE OF IMPORTATION AND SALE

35. On information and belief, Thomson is selling for importation into the United States, importing into the United States, and/or selling within the United States after importation the accused products identified herein. The accused products that are imported into the United States include color televisions that include as components color display monitors that infringe the '821 patent, and DVD/CD Player/Recorders that include as components the guiding mechanisms that infringe the '842 patent.

36. On March 24, 2005, an order for an RCA Model No. D52W20 HDTV was placed by an employee of Complainants' counsel through Circuit City in Rockville, Maryland. The TV was delivered from the Circuit City store in San Mateo, California on April 1, 2005 to the offices of Complainants' counsel. Copies of documents relating to the purchase of this product are attached as Exhibit 29. As indicated in the photographs attached as Exhibit 30, the product is identified as "Assembled in Mexico" and bears the name "TTE Technology, Inc." ("TTE"). The

User's Guide, Exhibit 17, identifies Thomson Inc. as the source of the television. TTE has the same address as Thomson Inc. and, on information and belief, is a corporate affiliate of Thomson Inc.

37. On March 25, 2005, an order was placed by an employee of Complainants' counsel for an RCA Model No. HD52W55 HDTV. The order was placed online with ForHomeTheater.com and an invoice for the order was issued by Medical Video Systems, Inc. in Winston-Salem, North Carolina. The TV was shipped to the offices of Complainants' counsel on March 30, 2005. Copies of documents relating to the purchase and delivery of this product are attached as Exhibit 31. As indicated in photographs attached as Exhibit 32, the product is identified as "Assembled in Mexico" and bears the "Thomson Inc." name and "RCA" brand name.

38. On March 30, 2005, Complainants' counsel purchased an RCA Model No. D32F750T HDTV from Wal-Mart in Baldwin Park, California. A copy of a receipt for the purchase of this product is attached as Exhibit 33. As indicated in photographs attached as Exhibit 34, the product is identified as "Assembled in Mexico" and bears the "Thomson Inc." name and "RCA" brand name.

39. Thomson also offers on its website the RCA Model No. HD61LPW163 HDTV. A copy of the Thomson/RCA website referring to this product is attached as Exhibit 35. On information and belief, based on the fact that all of the other Accused HDTV Products are made outside of the United States, the RCA Model No. HD61LPW163 HDTV is also manufactured outside of the United States, and imported into and sold after importation in the United States by Thomson.

40. On April 1, 2005, an order was placed by Complainants' counsel through getpartsonline.com for the RCA DVD Recorder Model No. DRC8005N. The product was delivered to the offices of Complainants' counsel in Los Angeles, California on April 5, 2005. Copies of documents relating to the purchase and delivery of this product are attached as Exhibit 36. As indicated in photographs attached as Exhibit 37, the product is identified as "Made in China" and bears the "Thomson Inc." name and "RCA" brand name.

41. On April 2, 2005, Complainants' counsel purchased the RCA DVD Recorder Model No. DRC8300N from CompUSA in Monrovia, California. A copy of the receipt for the purchase of this product is attached as Exhibit 38. As indicated in photographs attached as Exhibit 39, the product is identified as "Made in China" and bears the "Thomson Inc." name and "RCA" brand name.

42. On April 19, 2005, an order was placed by an employee of Complainants' counsel online through Editor's Choice (Let's Go Digital) for the RCA DVD/CD Changer Model No. DRC510N. The product was delivered to Complainants' counsel in Los Angeles, California. A copy of the receipt for the purchase of this product is attached as Exhibit 40. As indicated in the photographs of the RCA DVD/CD Changer Model No. DRC510N, attached as Exhibit 41, the product is identified as "Made in China" and bears the "Thomson Inc." name and "RCA" brand name.

43. On information and belief, the accused products are assigned U.S. Harmonized Tariff Schedule Number(s) 8528.12.4800 and 8471.49.1095. These are exemplary classifications for illustration only and are not intended to restrict the accused products.

V. RELATED LITIGATION

44. On September 17, 2004, BenQ Corp. filed a complaint against InFocus Corporation for infringement of, *inter alia*, the '821 patent in the U.S. District Court for the Central District of California, Civil Action No. SACV04-1102 DOC (Ex). The case was settled after the complaint was filed and prior to trial.

45. On May 9, 2005, BenQ Corp. filed a complaint against Thomson with the U.S. District Court for the Northern District of California, *BenQ Corporation v. Thomson Inc.*, Civil Action No. C 05 01893 (PVT), alleging infringement by Thomson of the '821 and '842 patents. The case is in the early stages and no answer or response has been filed by Thomson.

46. In addition, the European counterpart to the '821 patent, EP Patent No. 0543089, was involved in an opposition proceeding after the patent was assigned to a third party. In that proceeding, in a decision dated May 20, 2003, the Technical Board of Appeal of the European Patent Office, in Case No. T 0158/01-3.5.1, set aside the decision of the Opposition Division and upheld the validity of EP Patent No. 0543089.

47. With the exception of the actions and proceeding identified above, the Asserted Patents have not previously been the subject of any other court or agency litigation.

VI. DOMESTIC INDUSTRY

48. A domestic industry exists under 19 U.S.C. §1337(a)(3) relating to products that exploit the Asserted Patents based on significant investment in plant and equipment and significant employment of labor and capital in the United States, as well as substantial investment in the exploitation of the Asserted Patents in the United States through engineering, research and development.

A. TECHNICAL PRONG

49. BenQ America sells in the United States products that practice at least claims 7-11 and 13-15 of the '821 patent, including a 20" Liquid Crystal Display (LCD) television, Model No. DV2050, and a 32" LCD television, Model No. DV3250. A claim chart demonstrating how the BenQ DV2050 LCD television practices claim 13 of the '821 patent is attached as Exhibit 42. A User's Manual for this product is attached as Exhibit 43. Photographs of the DV2050 LCD television are attached as Exhibit 44.

50. BenQ America sells in the United States the 656A CDROM drive which practices at least claims 1, 2, 3, 5 and 6 of the '842 patent. In addition, BenQ has sold in the past the 652A CDROM drive which also practices at least claims 1, 2, 3, 5 and 6 of the '842 patent. A claim chart demonstrating how the BenQ 656A CDROM drive practices claim 1 of the '842 patent is attached as Exhibit 45. The specification and User's Guide for the BenQ 656A CDROM drive are attached as Exhibit 46. Photographs of this product are attached as Exhibit 47.

B. ECONOMIC PRONG

51. A domestic industry exists by virtue of significant investments in plant and equipment and employment of labor and capital in the United States. BenQ products are manufactured outside of the United States. However, after importation, BenQ's facilities in the

United States perform return and repair services for BenQ products, including products covered by the '842 and '821 patents products, such as receiving, replacement order fulfillment, product refurbishment, shipping, performance management, operation support, ordering, and warehousing, as well as sales, marketing, and administrative functions in the United States relating to BenQ products.

52. BenQ America performs a number of different types of Return Merchandise Authorization (“RMA”) services to customers and end users. For some customers, the customer can request RMA return for credit within a certain period stated in the Sales Agreement. BenQ America will receive the return shipment from the customer and credit their account. BenQ America will then test, repair and refurbish the product, transfer it to the finished goods warehouse, and sell it as “refurbished product.”

53. In addition, according to BenQ America’s product warranty program, BenQ America offers an advance swap service to customers under certain conditions. Under this program, BenQ America will maintain a stock of “buffer inventory” for the swap service. For returned products, BenQ America will test, repair and repack the products and transfer them to buffer stock for the next swap service.

54. For those products not eligible under the programs described above, but still under warranty, BenQ America will attempt to repair the product and return it after the repairs are completed, or provide a replacement if the product cannot be repaired.

55. In addition to the repair and return services described above, BenQ provides other support services including maintaining an inventory of spare parts for its authorized service

providers (“ASPs”), managing and evaluating the service performance of its ASPs, and auditing and monitoring their on-hand inventory, if any.

i. Significant Investment in Plant and Equipment Related to the Patented Products

56. BenQ has made a significant investment in plant and equipment in the United States for return and repair services relating to BenQ products, including products covered by the patents in suit, as well as sales, marketing and administrative functions supporting those products. Details regarding BenQ’s investment in plant and equipment are contained in Confidential Exhibit 48.

ii. Significant Employment of Labor and Capital Related to the Patented Products

57. BenQ employs a significant number of persons in the United States involved in activities relating to return and repair services for BenQ products, including products covered by the patents in suit, as well as sales, marketing and administrative functions supporting those products. In addition, BenQ has invested significant capital in the United States relating to those activities. Details regarding this employment are set forth in Confidential Exhibit 49.

iii. Substantial Investment Related to Exploitation of the Patents

58. BenQ has also made substantial investments in the United States in activities relating to the patents in suit, including engineering activities such as product support, repair and maintenance, as described above. The resources devoted to these activities are further detailed in Confidential Exhibits 48 and 49.

VII. RELIEF

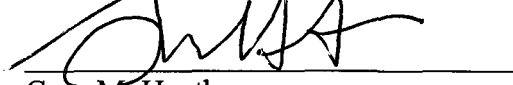
WHEREFORE, by reason of the foregoing, BenQ requests that the United States International Trade Commission:

- (a) Institute an immediate investigation pursuant to Section 337 of the Tariff Act of 1930, as amended, with respect to violations of that Section based on the importation into the United States, the sale for importation into the United States, and/or the sale within the United States after importation by Respondent of certain DVD/CD players and recorders, color television receivers and display monitors, and components thereof that infringe BenQ's valid and enforceable U.S. Patent No. 5,270,821 and U.S. Patent No. 6,683,842;
- (b) Schedule and conduct a hearing on said unlawful acts and, following said hearing;
- (c) Issue an exclusion order forbidding entry into the United States of certain DVD/CD players and recorders, color television receivers and display monitors, and components thereof that infringe the '821 and '842 Patents;
- (d) Issue cease and desist orders prohibiting Respondent from importing, selling, offering for sale (including via the internet or electric mail), advertising (including via the internet or electric mail), distributing or soliciting any certain DVD/CD players and recorders, color television receivers and display monitors, and components thereof encompassed by the claims of the '821 and '842 Patents; and

- (e) Issue such other orders and further relief as the Commission deems just and proper based upon the facts determined by the investigation and under the authority of the Commission.

Date: May 16, 2005

Respectfully submitted,



Gary M. Hnath

Fei-Fei Chao, Ph.D.

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Counsel for Complainants

BENQ CORP. AND BENQ AMERICA CORP.

VERIFICATION OF COMPLAINT

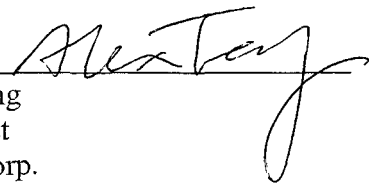
I, Alex Teng, hereby declare, in accordance with 19 CFR §§210.4 and 210.12(a), as follows:

1. I am a Specialist for BenQ Corp. and am duly authorized to sign this Complaint on behalf of BenQ Corp.
2. I have read the Complaint and am aware of its contents.
3. The Complaint is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.
4. To the best of my knowledge, information and belief, founded after a reasonable inquiry, the claims and legal contentions of the Complaint are warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law.
5. To the best of my knowledge, information and belief, founded after a reasonable inquiry, the allegations and other factual contentions in the Complaint have evidentiary support or are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.

I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed on May 11, 2005

Alex Teng
Specialist
BenQ Corp.



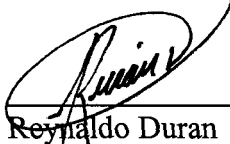
VERIFICATION OF COMPLAINT

I, Reynaldo Duran, hereby declare, in accordance with 19 CFR §§210.4 and 210.12(a), as follows:

1. I am Senior Corporate Counsel for BenQ America Corp. and am duly authorized to sign this Complaint on behalf of the BenQ America Corp.
2. I have read the Complaint and am aware of its contents.
3. The Complaint is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.
4. To the best of my knowledge, information and belief, founded after a reasonable inquiry, the claims and legal contentions of the Complaint are warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law.
5. To the best of my knowledge, information and belief, founded after a reasonable inquiry, the allegations and other factual contentions in the Complaint have evidentiary support or are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.

I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed on May 11, 2005



Reynaldo Duran
Senior Corporate Counsel
BenQ America Corp.