

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN DIGITAL VIDEO-CAPABLE
DEVICES AND COMPONENTS THEREOF**

Investigation No. 337-TA-____
Docket No. 337-3492

PUBLIC INTEREST STATEMENT OF HP INC.

Proposed respondent HP Inc. submits this response to the Commission’s solicitation of comments on public interest raised by the complaint filed by Koninklijke Philips N.V. and Philips North America LLC on September 18, 2020. *See* 85 Fed. Reg. 60266 (Sept. 24, 2020).

Complainants’ complaint—which relies on third-party licensees and Complainants’ alleged licensing expenditures for its domestic industry claim—targets respondents’ U.S. shipments of approximately 79.8 percent of PCs and more than 48.8 percent of computer monitors, among other types of accused products.¹ Complainants’ acknowledge in their public interest statement that their complaint targets “two-thirds of the U.S. market” for “computers.”² For context, two-thirds is roughly 10.24 million of approximately 15.28 million units of PCs shipped in the United States in the second quarter of 2020 alone.³ Relief of that scope would harm public health and welfare, consumers, and competitive conditions in the United States, particularly given the increased demand for computers and computer monitors as a result of remote work, education, healthcare and government services during the COVID-19 pandemic. Because Complainants’ requested remedy would, if entered, have an outsized effect on U.S.

¹ U.S. PC market share available at: <https://www.statista.com/statistics/576469/united-states-quarterly-pc-shipment-share-hewlett-packard/>; <https://www.statista.com/statistics/576467/united-states-quarterly-pc-shipment-share-dell/>; <https://www.statista.com/statistics/576458/united-states-quarterly-pc-shipment-share-lenovo/>. For computer monitors, HP cites global market share data available at: <https://www.statista.com/statistics/260452/global-pc-monitor-market-share-by-vendor/>. However, respondents’ U.S. market share in monitors should be greater.

² Complainants’ Public Interest Statement at 4 (EDIS Doc. ID. 72008).

³ <https://www.statista.com/topics/3149/personal-computer-pc-market-us/>.

technology companies including HP, and on every aspect of the U.S. economy reliant on PCs and computer monitors, among other types of products, Complainants' complaint threatens significant public interest harm. HP respectfully requests that the Commission delegate the public interest issue to the Administrative Law Judge for development of the evidentiary record.

Headquartered in Palo Alto, California, HP is among the largest and most successful information technology companies in the world. HP employs more than 55,000 employees in the United States. HP's customers include businesses of all sizes, state and federal governments, municipal law enforcement agencies, and public and private entities in the health and education sector. HP is also committed to innovation, with a significant worldwide patent portfolio. HP invested approximately 1.5 billion dollars on research and development in 2019.⁴

HP accounts for approximately 32 percent of PCs sold in the United States and approximately 15 percent of computer monitors.⁵ Thus, excluding even HP devices from the United States would deprive a significant number of consumers of their devices of choice and create product shortages and price spikes, especially given current COVID-19 related supply chain constraints.⁶ Exclusion would cause extraordinary disruption and adversely affect competition.

Moreover, HP's products contribute to virtually every sector of the U.S. economy. Some specific examples across sectors include:

- ***Economy and Remote Work:*** The computer is essential in the era of remote work. Sales of computers and monitors increased substantially with the onset of remote work during COVID-19. Nearly half of business professionals are working remotely in 2020, and professionals are demanding faster and

⁴ See HP 2019 10-K at 39.

⁵ <https://www.statista.com/statistics/576469/united-states-quarterly-pc-shipment-share-hewlett-packard/>; <https://www.statista.com/statistics/260452/global-pc-monitor-market-share-by-vendor/>.

⁶ See, e.g., <https://searchnetworking.techtarget.com/news/252480172/Dell-warns-of-order-delays-tech-buyers-worry-about-IT-supply-chain>; <https://www.statista.com/statistics/1106093/electronics-industries-impacted-by-supply-chain-delays-due-to-covid-19-worldwide>.

more powerful PCs.⁷ About 57% of small- to mid-sized business owners plan to adopt options for employees to work from home in the long term.⁸ Most office workers (83 percent) want to work from home at least one day a week, and half of employers (55 percent) anticipate that most of their workers will do so long after COVID-19 is not a concern.⁹ Some predict 25-30 percent of the workforce will work from at home multiple days per week at the end of 2021.¹⁰ HP's computers and monitors help meet the growing demand of this new expanded remote work environment.¹¹

- **Education and Remote Education:** HP products are used extensively in classrooms and school districts across the country. HP currently has the highest market share for notebooks in the education segment. The Baltimore County Public School system, for example, chose HP notebooks for 120,000 of its students and teachers long before the COVID-19 pandemic.¹² HP computers also help close the digital “homework gap” made worse by COVID-19.¹³ In 2018, one-in-five teens ages 13 to 17 (17%) said they could not complete homework because of lack of a reliable computer or internet connection, and 35% said they often or sometimes had to do their homework on a cellphone.¹⁴ This broadband gap was more pronounced in black and Hispanic households with school-age children and in lower income households.¹⁵ School closures for COVID-19 found a quarter of lower income teens without access to a home computer, and one-in-three school age students overall.¹⁶ In response, HP has donated millions of

⁷ <https://press.hp.com/us/en/press-releases/2020/hp-announces-pc-innovations-hybrid-work-environments.html>.

⁸ *Id.*

⁹ <https://www.pwc.com/us/en/library/covid-19/us-remote-work-survey.html>.

¹⁰ <https://globalworkplaceanalytics.com/work-at-home-after-covid-19-our-forecast>.

¹¹ *Id.*

¹² <http://www8.hp.com/us/en/hp-news/press-release.html?id=1721308#.V-MNXfkwhhE>.

¹³ <https://www.pewresearch.org/fact-tank/2020/03/16/as-schools-close-due-to-the-coronavirus-some-u-s-students-face-a-digital-homework-gap/>

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*; <https://www8.hp.com/us/en/solutions/education/refresh.html>.

dollars in technology to aid education, and is also helping communities crowdsource computer donations to schools through the HP Refresh Program.¹⁷ HP also has developed resources for K-12 schools and universities adapt to distance working, teaching and learning.¹⁸ HP and the HP Foundation have committed to better learning outcomes for 100 million people by 2025.¹⁹

- **Healthcare and Remote Healthcare:** HP devices are used widely at various levels of the healthcare industry. HP provides the most secure patient system.²⁰ In 2016, over 16 million healthcare records were exposed or stolen.²¹ HP laptops provide the advanced display functionality necessary to allow physicians to remotely view high-resolution medical images such as CT scans and MRIs for providing diagnoses. Companies such as BlueShield and Johnson & Johnson have partnered with HP to modernize services and enhance efficiency of health care for their customers.²² In 2020, healthcare organizations rapidly deployed telemedicine solutions, with telemedicine claims increasing 4,347 percent from March 2019 to the beginning of the COVID-19 pandemic in March 2020.²³ The U.S. telehealth market is expected to increase 80 percent in 2020 over 2019.²⁴ HP has developed resources to help clinicians and IT professionals deliver safer, more efficient, and more secure telemedicine services.²⁵

- **Increased Demand for Government Agency Services:** HP's products play an integral role in administering a variety of government services and benefits. For example, HP is the first-choice provider

¹⁷ *Id.*

¹⁸ https://enable.hp.com/the-new-workplace-education?jumpid=in_r12129_us/en/psg/edu_overview/content/reinv-learn.

¹⁹ <https://www8.hp.com/us/en/hp-information/sustainable-impact/community.html>

²⁰ <https://www8.hp.com/us/en/hp-news/press-release.html?id=2558042>.

²¹ *Id.*

²² <http://www.jnj.com/news/all/Johnson-Johnson-Announces-Collaboration-with-HP-Inc-Subsidiary-to-Create-Personalized-Health-Care-Solutions-with-3D-Printing-Technologies>.

²³ <https://enable.hp.com/make-telemedicine-work>.

²⁴ *Id.*

²⁵ <https://enable.hp.com/the-new-workplace-healthcare?elqTrackId=9621e5b2df45484f91003d02ee5e9165&elq=00000000000000000000000000&elqaid=4589&elqat=2&elqCampaignId=>

UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.

In the matter of

**CERTAIN ACTIVE MATRIX OLED
DISPLAY DEVICES AND COMPONENTS
THEREOF**

Inv. No. 337-TA_____
ITC Docket No. 337-3492

I, Debby Brady, hereby certify that on October 2, 2020, a copy of *Public Interest Statement of Proposed Respondent HP Inc.* was served on the following as indicated:

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