

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

In the Matter of)

CERTAIN AUTOMOTIVE MEASURING DEVICES,)
PRODUCTS CONTAINING SAME, AND)
BEZELS FOR SUCH DEVICES)

Inv. No. 337-TA-494

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW TWO INITIAL
DETERMINATIONS TERMINATING TWO RESPONDENTS; ISSUANCE OF
CONSENT ORDER**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review two initial determinations (“IDs”) issued by the presiding administrative law judge (“ALJ”) terminating the above-captioned investigation as to respondent Transglobal Enterprises (“Transglobal”) on the basis of a settlement agreement and consent order, and respondents Equus Products, Inc., and Equus Inc. (collectively, “Equus”) on the basis of a settlement agreement.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3115. Copies of the public version of the IDs and all nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on June 20, 2003, based on a complaint filed by Auto Meter Products, Inc. (“Auto Meter”) of Sycamore, Illinois. 68 *Fed. Reg.* 37023. The complaint alleged violations of section 337 of the Tariff Act of 1930 in the importation and sale of certain automotive measuring devices, products containing same, and bezels for such devices, by reason of infringement of U.S. Registered Trademark Nos. 1,732,643 and 1,497,472, and U.S. Supplemental Register No. 1,903908, and infringement of the complainant’s trade dress. The complaint alleged that twelve respondents violated section 337. Subsequently, seven more firms were added as respondents.

On July 1, 2004, Auto Meter and respondent Transglobal filed a joint motion to terminate based on a settlement agreement between Auto Meter and Transglobal and a consent order stipulation with a proposed consent order. On August 25, 2004 Auto Meter and respondent Equus filed a joint motion to terminate based on a settlement agreement between Auto Meter and Equus. The Commission investigative attorneys filed responses in support of each of the joint motions to terminate.

On September 14, 2004, the ALJ issued an ID (Order No. 39) terminating the investigation as to respondent Transglobal on the basis of a settlement agreement and consent order. On September 15, 2004, the ALJ issued an ID (Order No. 40) terminating the investigation as to respondent Equus on the basis of a settlement agreement. No petitions for review of the IDs were filed.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and in section 210.42 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.42).

By order of the Commission.

Marilyn R. Abbott
Secretary to the Commission

Issued: October 6, 2004