

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

<b>In the Matter of</b>	)	
	)	
<b>CERTAIN BEARINGS AND</b>	)	<b>Inv. No. 337-TA-469</b>
<b>PACKAGING THEREOF</b>	)	
	)	

**NOTICE OF COMMISSION DECISION NOT TO REVIEW TWO INITIAL DETERMINATIONS EACH TERMINATING THE INVESTIGATION AS TO ONE RESPONDENT ON THE BASIS OF A SETTLEMENT AGREEMENT**

**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 the presiding administrative law judge's ("ALJ's") initial determination ("ID") (Order No. 93) terminating the above-captioned investigation as to respondent Creswell Industrial Supply, Inc. (Creswell) from the investigation based on a settlement agreement and an ID (Order No. 94) terminating respondent Gulf United Industries, Inc. (Gulf ) from the investigation, also based on a settlement agreement.

**FOR FURTHER INFORMATION CONTACT:** Jean Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3012. Copies of the ALJ's ID and all other 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. 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-ON-LINE) at <http://dockets.usitc.gov/eol/public>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on April 16, 2002, based on a complaint filed by SKF USA, Inc. (SKF) of Norristown, PA against various respondents including Creswell and Gulf. *67 Fed. Reg.* 18632 (2002). The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930 in the importation into the United States, sale for importation, and sale within the United States after importation of certain bearings by reason of infringement of registered and common law trademarks, dilution of trademarks,

various acts in violation of the Lanham Act, and passing off.

A count concerning unfair pecuniary benefits was dismissed by the Commission on September 23, 2002.

On December 6, 2002, the presiding ALJ issued Order No. 93, an ID granting a joint motion filed by SKF and Creswell under Commission rule 210.21(b) to terminate the investigation as to Creswell based on a settlement agreement. Also on December 6, 2002, the ALJ issued an ID granting a joint motion to terminate the investigation as to Gulf based on a settlement agreement. The Commission investigative attorney supported both motions to terminate. No petitions for review of either ID 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: December 30, 2002