

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN STAINLESS STEEL
PRODUCTS, CERTAIN PROCESSES
FOR MANUFACTURING OR
RELATING TO SAME, AND CERTAIN
PRODUCTS CONTAINING SAME**

Investigation No. 337-TA-933

LIMITED EXCLUSION ORDER

The Commission has found Viraj Profiles Limited (“Respondent”) in default for spoliation of evidence. The Commission has thereby determined that there is a violation of Section 337 in the unlawful importation, sale for importation and sale after importation by Respondent of stainless steel products manufactured by or on behalf of Respondent using any of the misappropriated trade secrets identified in the complaint (*see* Compl. ¶¶ 27-33, 51 and accompanying exhibits) (“Valbruna Trade Secrets”).

The Commission has determined that the appropriate form of relief includes a limited exclusion order prohibiting the unlicensed entry of stainless steel products manufactured using any of the Valbruna Trade Secrets by or on behalf of Respondent, or its affiliated companies, parents, subsidiaries, or other related business entities, or their successors or assigns.

The Commission has further determined that the public interest factors enumerated in 19 U.S.C. § 1337(d) do not preclude issuance of the limited exclusion order. Finally, the Commission has determined that the bond during the period of Presidential review shall be in the amount of 13.4 percent of the entered value of the stainless steel products subject to this Order.

Accordingly, the Commission hereby **ORDERS** that:

1. Stainless steel products manufactured using any of the Valbruna Trade Secrets by or on behalf of, or imported by or on behalf of, Respondent, or its affiliated companies, parents, subsidiaries, or other related business entities, or their successors or assigns, are excluded from entry for consumption into the United States, entry for consumption from a foreign trade zone, or withdrawal from a warehouse for consumption, for a period of 16.7 years from the effective date of this Order, except under license of the owner of the Valbruna Trade Secrets, or as provided by law.

2. In accordance with 19 U.S.C. § 1337(1), the provisions of this Order shall not apply to stainless steel products that are imported by and for the use of the United States, or imported for, and to be used for, the United States with authorization or consent of the Government.

3. Prior to the importation of stainless steel product that may be subject to this Order, the importer or Respondent must seek a ruling from the Commission to determine whether the stainless steel product sought to be imported is covered by this Order.

4. After a Commission determination under paragraph 3 of this Order, persons seeking to import stainless steel products that are potentially subject to this Order may be required to certify to U.S. Customs and Border Protection (“CBP”) that they are familiar with the terms of this Order, that they have made appropriate inquiry, and thereupon state that, to the best of their knowledge and belief, the products being imported are not subject to this Order based on the Commission’s determination. At its discretion, CBP may require persons who have provided the certification described in this paragraph to furnish such records or analyses as are necessary to substantiate the certification.

5. The Commission may modify this Order in accordance with the procedures described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

6. The Secretary shall serve copies of this Order upon each party of record in this investigation and upon CBP.

7. Notice of this Order shall be published in the *Federal Register*.

By Order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', written in a cursive style.

Lisa R. Barton
Secretary to the Commission

Issued: May 25, 2016

**CERTAIN STAINLESS STEEL PRODUCTS, CERTAIN
PROCESSES FOR MANUFACTURING OR RELATING TO
SAME AND CERTAIN PRODUCTS CONTAINING SAME**

Inv. No. 337-TA-933

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **COMMISSION ORDER** has been served by hand upon the Commission Investigative Attorney, Reginald D. Lucas, Esq., and the following parties as indicated, on **May 25, 2016**.



Lisa R. Barton, Secretary
U.S. International Trade Commission
500 E Street, SW, Room 112
Washington, DC 20436

**On Behalf of Complainants Valbruna Slater Stainless, Inc.,
Valbruna Stainless Inc., and Acciaierie Valbruna S.p.A. :**

Gregory J. Spak, Esq.
WHITE & CASE LLP
701 Thirteenth Street, NW
Washington, DC 20005

- Via Hand Delivery
 Via Express Delivery
 Via First Class Mail
 Other: _____

On Behalf of Respondents Viraj Profiles Limited:

Lizbeth R. Levinson, Esq.
KUTAK ROCK LLP
1101 Connecticut Ave., NW, Suite 1000
Washington, DC 20036-4374

- Via Hand Delivery
 Via Express Delivery
 Via First Class Mail
 Other: _____