

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN REDUCED IGNITION PROCLIVITY
CIGARETTE PAPER WRAPPERS AND
PRODUCTS CONTAINING SAME**

Inv. No. 337-TA-756

**NOTICE REGARDING ISSUANCE OF FINAL INITIAL DETERMINATION AND
RECOMMENDED DETERMINATION ON REMEDY AND BOND**

(February 1, 2012)

On this date, the undersigned issued an Initial Determination on Violation of Section 337 and Recommended Determination on Remedy and Bond in the above-referenced Investigation. Attached are the opening pages from said filing, which are a matter of public record. A complete public version of the Initial Determination on Violation of Section 337 and Recommended Determination on Remedy and Bond will be issued when all the parties have submitted, and the undersigned has had an opportunity to review, the proposed redactions.

SO ORDERED.



E. James Gildea
Administrative Law Judge

Attachment A

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INITIAL DETERMINATION ON VIOLATION OF SECTION 337 AND
RECOMMENDED DETERMINATION ON REMEDY AND BOND

Administrative Law Judge E. James Gildea

(February 1, 2012)

Appearances:

For the Complainant Schweitzer-Mauduit International, Inc.:

Doris Johnson Hines, Esq.; Christine E. Lehman, Esq.; Anthony D. Del Monaco, Esq.; Mai-Trang D. Dang, Esq.; and Justin A. Hendrix, Esq. of Finnegan, Henderson, Farabow, Garrett & Dunner LLP of Washington D.C.

Michael J. McCabe, II, Esq. of Finnegan, Henderson, Farabow, Garrett & Dunner LLP of Atlanta, Georgia

Adam J. Sibley, Esq. of Finnegan, Henderson, Farabow, Garrett & Dunner LLP of Reston, Virginia

For the Respondents Julius Glatz GmbH, LIPTec GmbH, and KneX Worldwide LLC:

Rudolf E. Hutz, Esq.; Jeffrey L. Eichen, Esq.; M. Curt Lambert, Esq.; Chad S.C. Stover, Esq.; and Claudia Schultze, Esq. of Connolly Bove Lodge & Hutz LLP of Wilmington, Delaware

For the Commission Investigative Staff:

Lynn I. Levine, Esq., Director; David Lloyd, Esq., Supervisory Attorney; and Lisa Murray, Esq., Investigative Attorney, of the Office of Unfair Import Investigations, U.S. International Trade Commission, of Washington, D.C.

Pursuant to the Notice of Investigation, 76 Fed. Reg. 4935-36 (January 27, 2011), this is the Initial Determination of the Investigation in the Matter of Certain Reduced Ignition Proclivity Cigarette Paper Wrappers and Products Containing Same, United States International Trade Commission Investigation No. 337-TA-756. See 19 C.F.R. § 210.42(a).

With respect to Respondents Julius Glatz GmbH, LIptec GmbH, and KneX Worldwide LLC, it is held that no violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation, of certain reduced ignition proclivity cigarette paper wrappers by reason of infringement of one or more of claims 1-6, 10-18, and 22-25 of United States Patent No. 5,878,753.

With respect to Respondents Julius Glatz GmbH, LIptec GmbH, and KneX Worldwide LLC, it is held that no violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation, of certain reduced ignition proclivity cigarette paper wrappers by reason of infringement of one or more of claims 36, 43, and 45 of United States Patent No. 6,725,867.

It is further held that a domestic industry does not exist that practices U.S. Patent No. 5,878,753 and a domestic industry exists that practices U.S. Patent No. 6,725,867.

With respect to the public interest, it is held that enforcement of a remedy in this Investigation does raise public interest issues, which are likely to be temporary and modest and do not overcome the strong interest in protecting Complainant Schweitzer-Mauduit International, Inc.'s rights with respect to U.S. Patent No. 5,878,753 and 6,725,867.