

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

**In the Matter of**

**CERTAIN LIGHTERS**

**Investigation No. 337-TA-575**

**NOTICE OF DECISION NOT TO REVIEW AN INITIAL DETERMINATION  
GRANTING COMPLAINANTS ZIPPMARK, INC.'S AND ZIPPO MANUFACTURING  
CO., INC.'S MOTION TO TERMINATE THE INVESTIGATION WITH RESPECT TO  
WENZHOU STAR SMOKING SET CO., LTD. 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") initial determination ("ID") (Order No. 9) granting complainants Zippo Manufacturing Company, Inc.'s and ZippMark, Inc.'s motion to terminate the above-captioned investigation with respect to Wenzhou Star Smoking Set Co., Ltd. aka Wenzhou Hengxing Smoking Set Co., Ltd. ("Wenzhou Star") on the basis of a settlement agreement.

**FOR FURTHER INFORMATION CONTACT:** Monica A. Stump, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3106. Copies of the ALJ's ID and all other non-confidential 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 at <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>. 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 June 20, 2006, based on a complaint filed by Zippo Manufacturing Company, Inc., of Bradford, Pennsylvania, and ZippMark, Inc. of Wilmington, Delaware, alleging violations of section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain personal lighters by reason of infringement of United States Trademark Registration No. 2,606,241. 71 *Fed. Reg.* 35450 (2006). The complaint named seven respondents: Tung Fong International

Promotion Co., Ltd. of China; Wenzhou Star Smoking Set Co., Ltd. of China; Taizhou Rongshi Lighter Development Co., Ltd. of China; Wenzhou Tailier Smoking Set Co., Ltd. of China; Vista Wholesale of Greencastle, Indiana; beWild.com of Bellmore, New York; and Kalan of Landsdowne, Pennsylvania. Id.

On October 11, 2006, complainants filed a motion to terminate the investigation with respect to Wenzhou Star on the basis of a settlement agreement. The Commission investigative attorney supported the motion, and no party opposed the motion.

On November 7, 2006, the ALJ issued an ID (Order No. 9) granting the motion. The ALJ found that the motion complied with the requirements of Commission Rule 210.21 (19 C.F.R. § 210.21) by including copies of the settlement agreement and a statement that there are no other agreements, written or oral, express or implied, between the parties concerning the subject matter of the investigation. In addition, under Commission Rule 210.50(b)(2) (19 C.F.R. § 210.50(b)(2)), the ALJ concluded that termination of this investigation will not impose any undue burdens on the public health and welfare, competitive conditions in the United States economy, or United States consumers. Accordingly, the ALJ terminated the investigation with regard to Wenzhou Star. No petitions for review of this ID were filed.

Having examined the record of this investigation, the Commission has determined not to review the ID.

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.

/s/

Marilyn R. Abbott  
Secretary to the Commission

Issued: November 27, 2006