

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

**In the Matter of**

**CERTAIN PASSENGER VEHICLE  
AUTOMOTIVE WHEELS**

**Investigation No. 337-TA-1006**

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION TERMINATING THE INVESTIGATION AS TO U.S. DESIGN  
PATENT NO. D542,726 AND U.S. TRADEMARK REGISTRATION NO. 4,076,271**

**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 an initial determination (“ID”) (Order No. 15) of the presiding administrative law judge (“ALJ”) terminating the above-captioned investigation as to U.S. Design Patent No. D542,726 (“the ’D726 patent”) and U.S. Trademark Registration No. 4,076,271 (“the CLS 500 mark”).

**FOR FURTHER INFORMATION CONTACT:** Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2310. Copies of 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, SW., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://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 17, 2016, based on a complaint filed on behalf of Daimler AG of Stuttgart, Germany. 81 FR 39711-12. The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, by reason of infringement of numerous U.S. design patents and U.S. registered trademarks including the ’D726 patent and the CLS 500 mark. The complaint further alleges that a domestic industry exists. The Commission’s notice of investigation named several respondents. The Office of Unfair Import Investigations is also a party to the investigation. *Id.*

On September 23, 2016, complainant moved to terminate the investigation as to the 'D726 patent and the CLS 500 mark based on withdrawal of the complaint as to these claims. No responses were received.

The ALJ issued the subject ID on October 17, 2016, granting the motion for partial termination. He found that the motion for termination satisfied Commission Rule 210.21(a)(1) and that no extraordinary circumstances exist that would prevent the requested partial termination. No party petitioned for review of the ID.

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 part 210 of the Commission's Rules of Practice and Procedure, 19 CFR part 210.

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', with a stylized flourish at the end.

Lisa R. Barton  
Secretary to the Commission

Issued: November 2, 2016