

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN MOBILE DEVICE
HOLDERS AND COMPONENTS
THEREOF**

Investigation No. 337-TA-1028

**NOTICE OF THE COMMISSION'S DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION TERMINATING CERTAIN RESPONDENTS**

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. 12) terminating certain respondents.

FOR FURTHER INFORMATION CONTACT: Amanda Pitcher Fisherow, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW, Washington, D.C. 20436, telephone (202) 205-2737. 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, 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 <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 November 14, 2016, based on a complaint and supplements, filed on behalf of Nite Ize, Inc. of Boulder, Colorado ("complainant"). 81 FR 79519-20 (Nov. 14, 2016). The complaint as supplemented alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain mobile device holders and components thereof by reason of infringement of certain claims of U.S. Patent No. 8,602,376; U.S. Patent No. 8,870,146; U.S. Patent No. D734,746; and U.S. Patent No. D719,959. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337. The Commission's notice of investigation named, *inter alia*,

Ninghuaxian Wangfulong Chaojishichang Youxian Gongsi, Ltd., d/b/a EasybuyUS of Shanghai, China; Cyrift d/b/a Guangzhou Sunway E-Commerce LLC of Guangzhou, China; Spinido, Inc. of Brighton, Colorado; Yuan I d/b/a Bestrix of Hubei, China; Barsone d/b/a Shenzhen Senweite Electronic Commerce Ltd.; Shenzhen Youtai Trade Company Limited, d/b/a NoChoice; Shenzhen Gold South Technology Co., Ltd. d/b/a Baidatong; Hu Peng d/b/a AtomBud; Grando d/b/a Shenzhen Dashentai Network Technology Co., Ltd.; Huijukon d/b/a Shenzhen Hui Ju Kang Technology Co. Ltd.; Luo, Qiben, d/b/a Lita International Shop; Shenzhen New Dream Sailing Electronic Technology Co., Ltd. d/b/a MegaDream; and Dang Yuya d/b/a Sminiker all of Shenzhen, China. The Office of Unfair Import Investigations (“OUII”) was named as a party to the investigation.

Both the Commission and the complainant attempted to serve the respondents listed above but were unsuccessful. *See* ID at 1; EDIS Doc. 594620. On May 18, 2017, complainant filed a motion to terminate the investigation as to the non-served respondents. On May 24, 2017, OUII filed a response supporting the complainant’s motion.

On May 30, 2017, the ALJ issued an order (Order No. 12) terminating the non-served respondents. The ALJ noted that complainant’s motion to terminate includes a statement that there “are no agreements, written or oral, express or implied, between Nite Ize and any of the Non-Served Respondents concerning the subject matter of this Investigation.” Order No. 12 at 2. The ALJ found that there are no extraordinary circumstances that prevent termination and that termination is in the public interest. No one petitioned for review of the ID.

The Commission has determined not to review the subject 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.



Lisa R. Barton
Secretary to the Commission

Issued: June 13, 2017