

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN TONER CARTRIDGES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1106

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION FINDING THREE RESPONDENTS IN DEFAULT**

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. 26) of the presiding administrative law judge (“ALJ”) finding respondents Do It Wiser LLC d/b/a Image Toner (“Do It Wiser”) of Alpharetta, Georgia; Global Cartridges (“Global Cartridges”) of Burlingame, California; and Kingway Image Co., Ltd. d/b/a Zhu Hai Kingway Image Co., Ltd. (“Kingway Image”) of Zhuhai, China in default (collectively, “the defaulting respondents”).

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., 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, 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 March 29, 2018, based on a complaint filed on behalf of Canon U.S.A. Inc. of Melville, New York, Canon Inc. of Tokyo, Japan, and Canon Virginia, Inc. of Newport News, Virginia. 83 FR 13516-17. 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 certain claims of U.S. Patent Nos. 9,746,826; 9,836,026; 9,841,727; 9,841,728; 9,841,729; 9,857,764; 9,857,765; 9,869,960; and 9,874,846. The Commission’s notice of investigation named numerous respondents including the defaulting respondents. The Office of Unfair Import Investigations is also a party to the investigation. The complaint and notice of investigation were served on the defaulting respondents on March 26, 2018. See Order No. 26 at 1. The defaulting respondents failed to

respond to the complaint and notice of investigation.

On August 15, 2018, complainants filed a motion, pursuant to 19 CFR 210.16, for the following: (1) an order directing the defaulting respondents to show cause why they should not be found in default for failure to respond to the complaint and notice of investigation as required by 19 CFR 210.13; and (2) the issuance of an ID finding the respondents in default upon their failure to show cause. OUII and the actively participating respondents in the investigation did not oppose, or took no position on, the motion and no responses to the motion were filed by the defaulting respondents.

On August 27, 2018, the ALJ issued Order No. 24 which required the defaulting respondents to show cause no later than September 7, 2018, as to why they should not be held in default and have judgment rendered against them pursuant to 19 CFR 210.16. None of these respondents filed any response to Order No. 24.

The ALJ issued the subject ID (Order No. 26) on September 14, 2018, finding the defaulting respondents in default, pursuant to 19 CFR 210.16, because they did not respond to the complaint and notice of investigation and Order No. 24. No party petitioned for review.

The Commission has determined not to review the subject ID. Accordingly, Do It Wiser, Global Cartridges, and Kingway Image have been found in default.

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: October 2, 2018