

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN CHILD CARRIERS AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1154

**NOTICE OF COMMISSION DECISION NOT TO REVIEW TWO INITIAL
DETERMINATIONS TERMINATING THE INVESTIGATION
AS TO ONE RESPONDENT ON THE BASIS OF A
CONSENT ORDER STIPULATION AND PROPOSED
CONSENT ORDER AND ANOTHER RESPONDENT ON THE BASIS OF
SETTLEMENT; ISSUANCE OF CONSENT ORDER**

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 determinations ("IDs") (Order Nos. 17 and 18), which terminated the investigation as to one respondent on the basis of a consent order stipulation and proposed consent order (Order No. 17) and another respondent on the basis of settlement (Order No. 18). The Commission has issued a consent order.

FOR FURTHER INFORMATION CONTACT: Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2532. 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 <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 TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on April 10, 2019, based on a complaint filed by LILLEbaby LLC of Golden, Colorado ("LILLEbaby"). 84 FR 14393, 14394 (Apr. 10, 2019). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), in the importation into the United States, in the sale for importation, or the sale within the United States after importation of

certain child carriers and components thereof, by reason of the infringement of certain claims of U.S. Patent Nos. 8,172,116 and 8,424,732. 84 FR at 14393. The notice of investigation named twenty-seven respondents, including BabySwede LLC of Cleveland, Ohio (“BabySwede”) and Britax Child Safety, Inc. of Fort Mill, South Carolina (“Britax”). 84 FR at 14394. The Office of Unfair Import Investigations was also named as a party. *Id.*

On July 17, 2019, BabySwede moved to terminate the investigation as to BabySwede based upon BabySwede’s stipulation to entry of a consent order. *See* 19 CFR 210.21(c). BabySwede included with its motion a consent order stipulation and proposed consent order. The motion was unopposed.

On July 18, 2019, the presiding ALJ granted BabySwede’s motion as an ID (Order No. 17), finding that the motion, consent order stipulation, and proposed consent order comply with Commission rules. Order No. 17 at 2; *see* 19 CFR 210.21(c), 210.50(b)(2). Order No. 17 also finds that there is no evidence that granting the motion would have an adverse effect on the public interest. Order No. 17 at 2-3.

On May 10, 2019, Britax and LILLEbaby jointly moved to terminate the investigation as to Britax based upon a settlement agreement between Britax and LILLEbaby. On May 23, 2019, the ALJ denied that motion because of excess redactions in violation of 19 CFR 201.6 and 210.21(b). On July 18, 2019, Britax and LILLEbaby jointly renewed their motion, which included a less-redacted version of their settlement agreement. The motion was unopposed.

On July 18, 2019, the ALJ granted Britax and LILLEbaby’s motion as an ID (Order No. 18), finding that the renewed motion complies with Commission rules. Order No. 18 at 2-3; *see* 19 CFR 210.21(b), 210.50(b)(2). Order No. 18 also finds that there is no evidence that granting the motion would have an adverse effect on the public interest. Order No. 18 at 2.

No petitions for review of the IDs were filed. The Commission has determined not to review the IDs and has issued the consent order as to BabySwede.

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 C.F.R. part 210).

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: August 12, 2019