

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

**In the Matter of**

**CERTAIN BONE CEMENTS AND BONE  
CEMENT ACCESSORIES**

**Investigation No. 337-TA-1175**

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION WITHDRAWING ORDER NO. 11 AND EXTENDING THE  
TARGET DATE**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined not to review an initial determination (“ID”) (Order No. 12) extending the target date for completion of the above-captioned investigation to May 21, 2021.

**FOR FURTHER INFORMATION CONTACT:** Lynde Herzbach, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3228. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal, telephone 202-205-1810.

**SUPPLEMENTARY INFORMATION:** On September 23, 2019, the Commission instituted this investigation based on a complaint filed on behalf of Zimmer, Inc. and Zimmer US, Inc. both of Warsaw, Indiana. 84 FR 49764 (Sept. 23, 2019). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), based on the importation into the United States, the sale for importation, and the sale within the United States after importation of certain bone cements and bone cement accessories by reason of the misappropriation of trade secrets, false advertising, and tortious interference, the threat or effect of which is to destroy or substantially injure an industry in the United States. The complaint also alleges the existence of a domestic industry. The Commission’s notice of investigation names the following as respondents: Heraeus Medical GmbH of Wehrheim, Germany and Heraeus Medical LLC of Yardley, Pennsylvania. *Id.* The Office of Unfair Import Investigations is named as a party in this investigation. *Id.*

On March 18, 2020, the presiding administrative law judge (“ALJ”) issued Order No. 10, which reset the hearing date and stayed the procedural schedule in response to the March 12,

2020 announcement by the Commission that all section 337 hearings scheduled within the next 60 days were suspended. *See* Order No. 10 (March 18, 2020). The ALJ requested that the parties meet and confer and submit a proposed revised procedural schedule. *Id.*

On March 24, 2020, the ALJ issued Order No. 11, which reset the procedural schedule and extended the target date. *See* Order No. 11 (March 24, 2020).

On March 30, 2020, the ALJ issued the subject ID. The subject ID withdraws Order No. 11 as moot, resets the procedural schedule, and extends the target date to May 21, 2021. *See* ID (March 30, 2020); 19 CFR 210.51(a). The final ID on violation is due on January 22, 2021. *See* ID. No petitions for review of the subject ID were filed.

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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', enclosed in a large, stylized oval flourish.

Lisa R. Barton  
Secretary to the Commission

Issued: April 24, 2020