

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN PERCUSSIVE MASSAGE
DEVICES**

Investigation No. 337-TA-1206

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION SETTING THE TARGET DATE
FOR COMPLETION OF THE INVESTIGATION AT 17 MONTHS**

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. 3) of the presiding administrative law judge (“ALJ”), setting the target date for completion of the investigation to December 22, 2021.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, D.C. 20436, telephone 202-205-2392. 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. 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 on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on July 22, 2020, based on a complaint filed on behalf of Hyper Ice, Inc. of Irvine, California. 85 FR 44322 (July 22, 2020). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain percussive massage devices by reason of infringement of certain claims of U.S. Patent No. 10,561,574; U.S. Design Patent No. D855,822; and U.S. Design Patent No. D886,317. The complaint further alleges that a domestic industry exists. The Commission’s notice of investigation named nineteen respondents. The notice of investigation also names the Office of Unfair Import Investigations as a party.

On July 28, 2020, the ALJ issued the subject ID setting the target date for concluding the investigation to December 22, 2021, which is 17 months from the date of institution. *See* Order No. 3 at 1 (July 28, 2020); 19 CFR 210.51. The subject ID notes that the final initial determination on violation will be due no later than August 20, 2021. *Id.* No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID. The target date is hereby set to December 22, 2021.

The Commission vote for this determination took place on August 17, 2020.

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: August 17, 2020