

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN BLOWERS AND
COMPONENTS THEREOF**

**Investigation No. 337-TA-1217
(Enforcement)**

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW
TWO INITIAL DETERMINATIONS EXTENDING THE TARGET DATE**

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 two initial determinations (“ID”) (Order Nos. 34 and 35) of the presiding administrative law judge (“ALJ”) extending the target date for completion of the above-captioned investigation.

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 the original investigation on September 8, 2020, based on a complaint filed by Regal Beloit America, Inc of Beloit, Wisconsin. 85 FR 55491-92 (Sept. 8, 2020). 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, the sale for importation, or the sale within the United States after importation of certain blowers and components thereof by reason of infringement of one or more of claims 1, 2, 7-10, and 15 of U.S. Patent No. 8,079,834. *Id.* at 55492. The Commission’s notice of investigation named as respondents East West Manufacturing, LLC of Atlanta, Georgia, and East West Industries of Binh Duong, Vietnam (collectively, “Respondents”). *Id.* at 55492. The Office of Unfair Import Investigations (“OUII”) did not participate as a party in the original investigation. *Id.* On November 12, 2020, the Commission terminated the original investigation with respect to Respondents based upon a consent order stipulation and entry of a consent order. 85 FR 73511 (Nov. 18, 2020).

On February 19, 2021, the Commission instituted a formal enforcement proceeding, pursuant to Commission Rule 210.75(a), to determine whether a violation of the consent order issued in the original investigation has occurred and to determine what, if any, enforcement measures are appropriate. 86 FR 10335 (Feb. 19, 2021). The named respondents are East West Manufacturing, LLC of Atlanta, Georgia, and East West Industries of Binh Duong, Vietnam. *Id.* OUII is also named as a party. *Id.*

On December 6, 2021, the Commission determined not to review Order No. 33, extending the target date for completion of the enforcement proceeding from February 4, 2022 to February 28, 2022. *See* Comm'n Notice (Dec. 6, 2021).

On November 30, 2021, the ALJ issued Order No. 34 extending the target date for completion of the above-captioned investigation to March 8, 2022, and the deadline for issuing the Enforcement ID to December 8, 2021. Order No. 34 states that the extension is necessary "due to short staffing and other requirements." Order No. 34 at 1 (Nov. 30, 2021). On December 8, 2021, the ALJ issued Order No. 35 further extending the target date for completion of the above-captioned investigation to March 14, 2022, and the deadline for issuing the Enforcement ID to December 14, 2021. No petitions for review were filed.

The Commission has determined not to review the subject IDs. The target date is extended to March 14, 2022 with the Enforcement ID due no later than December 14, 2021.

The Commission vote for this determination took place on December 20, 2021.

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.



Secretary to the Commission

Issued: December 20, 2021