

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN NETWORK EQUIPMENT
SUPPORTING NETCONF**

Investigation No. 337-TA-1391

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION GRANTING OUII'S MOTION
TO DECLASSIFY OUII'S RESPONSE TO COMPLAINANT'S MOTION
FOR SUMMARY DETERMINATION**

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. 13) by the presiding administrative law judge ("ALJ") granting a motion of the Office of Unfair Import Investigation ("OUII") to declassify its response to complainant's motion for summary determination.

FOR FURTHER INFORMATION CONTACT: Carl P. Bretscher, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-2382. 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 March 4, 2024, based on a complaint filed by Optimum Communications Services, Inc. of Jersey City, New Jersey ("Complainant"). 89 FR 15611-12 (Mar. 4, 2024). 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 network equipment supporting NETCONF by reason of infringement of certain claims of U.S. Patent Nos. 10,567,474 and 10,848,546. *Id.* The complaint further alleges that a domestic industry exists. *Id.* The Commission's notice of investigation named as respondents: Changsha Silun Network Technology Co., Ltd. of Hunan, China; Hunan Maiqiang Network Technology Company Limited of Hunan, China; Hunan Zikun Information Technology Co., Ltd. of Hunan, China; and Guangzhou Qiton Electronics

Technology Co., Ltd. of Guangdong, China (collectively, “Respondents”). *Id.* OUII is participating as a party in this investigation. *Id.*

On June 13, 2024, the Commission found all of Respondents in default for failing to respond to the complaint, notice of investigation, or previous order to show cause (Order No. 8). Order No. 9, *unreviewed by*, Comm’n Notice (June 13, 2024).

On June 28, 2024, Complainant filed a motion for summary determination upon all issues to be decided in this investigation and requested a recommended determination advising that the appropriate remedy would be a general exclusion order. On July 10, 2024, OUII filed a confidential response opposing the summary determination motion. The summary determination motion is pending at this time.

On July 19, 2024, OUII filed a motion to declassify its response to Complainant’s motion for summary determination and supporting memorandum. Complainant filed a response opposing OUII’s motion on July 27, 2024.

On August 6, 2024, the presiding ALJ issued the subject ID granting OUII’s motion to declassify its response. Order No. 13 (Aug. 6, 2024).

No party filed a petition for review of the subject ID.

The Commission has determined not to review the subject ID.

The Commission vote for this determination took place on September 19, 2024.

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: September 19, 2024