

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C. 20436

In the Matter of

**CERTAIN COAXIAL CABLE CONNECTORS
AND COMPONENTS THEREOF AND
PRODUCTS CONTAINING SAME**

Investigation No. 337-TA-650

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW A REMAND
INITIAL DETERMINATION FINDING NO VIOLATION OF SECTION 337**

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 remand initial determination (“RID”) issued by the presiding administrative law judge (“ALJ”) on May 27, 2010, finding no violation of section 337. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Daniel E. Valencia, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-1999. 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’s TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on May 30, 2008, based on a complaint filed by John Mezzalingua Associates, Inc. d/b/a PPC, Inc. of East Syracuse, New York (“PPC”). 73 *Fed. Reg.* 31145 (May 30, 2008). The complaint alleged violations of section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain coaxial cable connectors and components thereof and products containing the same by reason of infringement of U.S. Patent Nos. 5,470,257 (“the ‘257 patent”); D440,539 (“the ‘539 patent”); 6,558,194 (“the ‘194 patent”); and D519,076 (“the ‘076 patent”). The complaint named eight respondents.

On October 13, 2009, the ALJ issued his final ID finding that a violation of section 337 occurred

in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain coaxial cable connectors and components thereof and products containing the same by reason of infringement of the '257, '539, '076, and '194 patents.

On March 31, 2010, the Commission issued an opinion and a remand order vacating the ALJ's determination with respect to the '539 patent and remanding this part of the investigation to the ALJ for further proceedings relating to the question of whether a domestic industry exists. The Commission affirmed the ALJ's finding that a violation of section 337 occurred with respect to the '076 and '194 patents, but reversed the ALJ's finding that a violation of section 337 occurred with respect to the '257 patent.

On May 27, 2010, the ALJ issued the subject RID, finding no violation of section 337 with respect to the '539 patent. In particular, the ALJ found that PPC has not satisfied the domestic industry requirement of section 337. On June 7, 2010, PPC and the Commission investigative attorney ("IA") filed petitions for review of the RID. On June 14, 2010, PPC and the IA filed responses to the petitions.

Having examined the record of this investigation, including the ALJ's RID, the petitions for review, and the responses thereto, the Commission has determined not to review the subject RID. The investigation is terminated.

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 sections 210.42-46 and 210.50 of the Commission's Rules of Practice and Procedure (19 C.F.R. §§ 210.42-46 and 210.50).

By order of the Commission.

/s/
Marilyn R. Abbott
Secretary to the Commission

Issued: July 12, 2010