NOTICE OF COMMISSION DECISION TO EXTEND THE DEADLINE FOR DETERMINING WHETHER TO REVIEW AN INITIAL DETERMINATION OF THE ADMINISTRATIVE LAW JUDGE


ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to extend the deadline from December 4, 2009, until December 21, 2009, for determining whether to review the presiding administrative law judge’s (“ALJ’s”) initial determination (“ID”) finding the economic prong of the domestic industry requirement satisfied.

FOR FURTHER INFORMATION CONTACT: Michael K. Haldenstein, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3041. 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 March 13, 2009, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, based on a complaint filed on February 10, 2009, by Humanscale Corporation of New York, New York. 74 Fed. Reg. 10963 (March 13, 2009). The Commission named the following two companies as respondents: CompX International, Inc., of Dallas, Texas and CompX Waterloo, of Ontario, Canada. The complaint and notice of investigation were subsequently amended to correct the Canadian respondent’s name to Waterloo Furniture Components Ltd. 74 Fed. Reg. 22963 (May 15, 2009). The complaint alleged violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States
after importation of certain adjustable keyboard support systems and components thereof that infringe certain claims of U.S. Patent No. 5,292,097. The complaint further alleged that an industry in the United States exists as required by subsection (a)(2) of section 337. The complainant requested that the Commission issue a limited exclusion order and a cease and desist order.

On November 4, 2009, the ALJ issued an ID (Order 27) finding that the economic prong of the domestic industry requirement contained in 19 U.S.C. § 1337(a)(3) has been satisfied. The Commission has determined to extend the deadline for determining whether to review the ID from December 4, 2009, until December 21, 2009.

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 section 210.42 (h) of the Commission’s Rules of Practice and Procedure (19 C.F.R. § 210.42 (h)).

By order of the Commission.

/s/
Marilyn R. Abbott
Secretary to the Commission

Issued: December 3, 2009