

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

In the Matter of

**CERTAIN TONER CARTRIDGES AND
COMPONENTS THEREOF**

Inv. No. 337-TA-829

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO GREEN PROJECT
BASED ON A CONSENT ORDER; ISSUANCE OF CONSENT ORDER**

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 an ID (Order No. 22) of the administrative law judge (“ALJ”) terminating the above-captioned investigation as to Respondent Green Project Inc. (“Green Project”) based on a consent order. The Commission has issued the subject consent order.

FOR FURTHER INFORMATION CONTACT: James A. Worth, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3065. 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 (<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: This investigation was instituted on February 27, 2012, based upon a complaint filed on behalf of Canon, Inc. of Tokyo, Japan; Canon U.S.A., Inc. of Lake Success, New York; and Canon Virginia, Inc. of Newport News, Virginia (collectively, “Canon”) on January 23, 2012. *77 Fed. Reg.* 11586 (Feb. 27, 2012). The complaint alleged violations of section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) in the sale for importation, importation, and sale after importation into the United States of certain toner cartridges and components thereof that infringe of one or more of claims 128-130, 132, 133 and 139-143 of U.S. Patent Nos. 5,903,803 and claims 24-30 U.S. Patent No. 6,128,454. The notice of investigation named numerous respondents, including Green Project of Hacienda Heights, California.

On October 24, 2012, Canon and Green Project filed a joint motion to terminate the investigation as to Green Project on the basis of a consent order stipulation and consent order.

The motion represented the support of the Commission investigative attorney. No responses were filed.

On November 14, 2012, the ALJ issued the subject ID, granting the motion. The ALJ stated that he does not find any evidence that termination of the investigation as to Green Project by the consent order would be contrary to the public interest. No petitions for review were filed.

Having considered the ID and the relevant portions of the record, the Commission has determined not to review the ID and to issue the subject consent order.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and of 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/
Lisa R. Barton
Acting Secretary to the Commission

Issued: December 13, 2012