

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN SINTERED RARE EARTH
MAGNETS, METHODS OF MAKING SAME
AND PRODUCTS CONTAINING SAME**

Investigation No. 337-TA-855

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW FOUR INITIAL
DETERMINATIONS GRANTING JOINT MOTIONS TO TERMINATE THE
INVESTIGATION AS TO RESPONDENTS NEXTEER AUTOMOTIVE
CORPORATION; YANTAI ZHENGHAI MAGNETIC MATERIAL CO., LTD.;
NINGBO JINJI STRONG MAGNETIC MATERIAL CO., LTD.; AND
ANHUI EARTH-PANDA ADVANCE MAGNETIC MATERIAL CO. LTD.
BASED UPON SETTLEMENT AGREEMENTS**

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 presiding administrative law judge's ("ALJ") initial determinations ("ID") (Order Nos. 111-14) granting joint motions to terminate respondents Nexteer Automotive Corporation of Saginaw, Michigan ("Nexteer"); Yantai Zhenghai Magnetic Material Co., Ltd. of Yantai, China ("Yantai Magnetic"); Ningbo Jinji Strong Magnetic Material Co., Ltd. of Ningbo, China ("Ningbo Magnetic"); and Anhui Earth-Panda Advance Magnetic Material Co., Ltd. of Chaohu, China ("Anhui") from the investigation based upon settlement agreements.

FOR FURTHER INFORMATION CONTACT: Panyin A. Hughes, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3042. 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 September 21, 2012, based on a complaint filed by Hitachi Metals, Ltd. of Tokyo, Japan and Hitachi Metals North Carolina, Ltd. of China Grove, North Carolina (collectively, "Hitachi Metals"). 77 *Fed. Reg.* 58578 (Sept. 21, 2012). 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, and the sale within the United States after importation of certain sintered rare earth magnets, methods of making same and products containing same by reason of infringement of certain claims of United States Patent Nos. 6,461,565; 6,491,765; 6,527,874; and 6,537,385. The notice of investigation named several entities as respondents, including Nexteer, Yantai Magnetic, Ningbo Magnetic, and Anhui.

On May 17, 2013, Hitachi Metals filed separate joint motions with respondents Yantai Magnetic, Ningbo Magnetic, and Anhui to terminate the investigation as to those respondents based upon settlement agreements. On May 20, 2013, Hitachi Metals and Nexteer filed a joint motion to terminate the investigation as to Nexteer based upon a settlement agreement. On May 24, 2013, the Commission investigative attorney filed responses in support of the motions. No other responses to the motions were filed.

On May 28, 2013, the ALJ issued the subject IDs, granting the joint motions to terminate Nexteer, Yantai Magnetic, Ningbo Magnetic, and Anhui from the investigation. The ALJ found that the settlement agreements comply with the requirements of Commission Rule 210.21(b) (19 C.F.R. §§210.21(b)) and that terminating Nexteer, Yantai Magnetic, Ningbo Magnetic, and Anhui from the investigation would not be contrary to the public interest. None of the parties petitioned for review of the ID.

The Commission has determined not to review the ID.

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

By order of the Commission.



Lisa R. Barton
Acting Secretary to the Commission

Issued: June 20, 2013