UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, D.C.

In the Matter of  
CERTAIN CASES FOR PORTABLE ELECTRONIC DEVICES  
Investigation Nos. 337-TA-867/861

NOTICE OF COMMISSION DETERMINATION TO REVIEW AN INITIAL DETERMINATION FINDING CERTAIN RESPONDENTS IN DEFAULT; UPON REVIEW THE COMMISSION AFFIRMS THE ALJ’S DETERMINATION UNDER 19 C.F.R. § 210.16


ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review the presiding administrative law judge’s (“ALJ”) initial determination (“ID”) (Order No. 8) finding the following respondents in default: Anbess Electronics Co. Ltd. of Shenzhen, China; Rocon Digital Technology Corp. of Shenzhen, China; SW-Box of Sheung Wan, Hong Kong; Trait Technology (Shenzhen) Co., Ltd. of Shenzhen, China; and Hongkong Wexun Ltd. of Guangdong, China (collectively, “Defaulting Respondents”). Upon review the Commission affirms the ALJ’s determination under 19 C.F.R. § 210.16 for Defaulting Respondents’ failure to respond to the complaint and notice of investigation.

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.


On January 15, 2013, Speck filed a motion for an order directing Defaulting Respondents to show cause why they should not be found in default for their failure to respond to the complaint and notice of investigation. Speck’s motion requested issuing a default ID against those respondents who failed to show cause. On January 25, 2013, the Commission Investigative Attorney filed a response in support of the motion. No other responses to the motion were filed.

On February 21, 2013, the ALJ issued Order No. 5, ordering Defaulting Respondents to show by March 7, 2013, why they should not be found in default under 19 C.F.R. § 210.16 for their failure to respond to the complaint and notice of investigation. Defaulting Respondents did not respond to the show-cause order.

On April 2, 2013, the ALJ issued the subject ID, finding Defaulting Respondents in default under 19 C.F.R. § 210.16 for failing to respond to the complaint and notice of investigation. The ALJ also found Defaulting Respondents in default under 19 C.F.R. § 210.17 for, at least, failing to comply with Order Nos. 3 and 5.

The Commission has determined to review the ID. Upon review, the Commission has determined to affirm the ALJ’s determination that Defaulting Respondents are in default under 19 C.F.R. § 210.16 for failure to respond to the complaint and notice of investigation. The Commission vacates the ALJ’s reliance on 19 C.F.R. § 210.17, finding it unnecessary to rely on that provision.


By order of the Commission.

Lisa R. Barton
Acting Secretary to the Commission

Issued: May 1, 2013