

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN WINDSHIELD WIPER
DEVICES AND COMPONENTS
THEREOF**

Investigation No. 337-TA-881

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANTS' MOTION FOR SUMMARY
DETERMINATION AS TO THE IMPORTATION OF RESPONDENTS' ACCUSED
PRODUCTS**

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 determination ("ID") (Order No. 21) granting the motion of complainants Federal-Mogul Corporation of Southfield, Michigan and Federal-Mogul S.A. of Aubange, Belgium (collectively "Federal-Mogul") for summary determination as to the importation of respondents' accused products.

FOR FURTHER INFORMATION CONTACT: Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2301. 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 June 11, 2013, based on a complaint filed by Federal-Mogul. *78 Fed. Reg.* 35050-51 (June 11, 2013). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 ("section 337"), by reason of infringement of certain claims of U.S. Patent No. 8,347,449. The complaint further alleges the existence of a domestic industry. The Commission's Notice of Investigation named as respondents Trico Corporation of Rochester Hills, Michigan; Trico

Products of Brownsville, Texas; and Trico Components, SA de CV of Matamoros, Mexico (collectively “Trico”). The Office of Unfair Import Investigations was also named as a party.

On November 25, 2013, Federal-Mogul filed a motion for summary determination that the importation requirement of section 337 is satisfied with respect to Trico. On November 26, 2013, Trico filed a response to the motion, stating that, although it does import the products listed in the complaint, it does not import infringing products. On November 27, 2013, the Commission investigative attorney filed a response in support of Federal-Mogul’s motion.

On December 13, 2013, the ALJ issued the subject ID, granting Federal-Mogul’s motion pursuant to section 210.18(b) of the Commission’s Rules of Practice and Procedure (19 C.F.R. § 210.18(b)). The ALJ found that Trico does not deny that it imports the accused products listed in the complaint. Based on Trico’s admission, the ALJ found that no genuine issue of material fact remains and that summary determination is therefore appropriate. No petitions for review were filed.

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.

A handwritten signature in black ink, appearing to read "Lisa R. Barton". The signature is stylized and cursive.

Lisa R. Barton
Acting Secretary to the Commission

Issued: January 10, 2014