

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN TIRES AND PRODUCTS
CONTAINING SAME**

Inv. No. 337-TA-894

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION TERMINATING THE INVESTIGATION AS TO
RESPONDENT DOUBLESTAR DONG FENG TYRE CO., LTD.,
BASED ON STIPULATION TO 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 initial determination (“ID”) (Order No. 36) by the presiding administrative law judge (“ALJ”) terminating the investigation with respect to respondent Doublestar Dong Feng Tyre Co., Ltd. (“Doublestar”) based on stipulation to a consent order. The Commission has issued a consent order against Doublestar.

FOR FURTHER INFORMATION: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3115. 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 20, 2013, based on a complaint filed by Toyo Tire & Rubber Co., Ltd., of Japan; Toyo Tire Holdings of Americas Inc. of Cypress, California; Toyo Tire U.S.A. Corp. of Cypress, California; Nitto Tire U.S.A. Inc. of Cypress, California; and Toyo Tire North America Manufacturing Inc. of White, Georgia (collectively, “Toyo”). 78 *Fed. Reg.* 57882

(Sept. 20, 2013). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), based on infringement of several U.S. design patents. The notice of investigation named numerous respondents, including Doublestar Dong Feng Tyre Co., Ltd., of China (“Doublestar”). 78 *Fed. Reg.* at 57882-883.

On January 22, 2014, Doublestar moved to be terminated from the investigation based on a consent order stipulation and a proposed consent order. On January 24, 2014, Toyo filed a response opposing the motion. On February 3, 2014, the Commission investigative attorney filed a response supporting the motion.

On February 27, 2014, the ALJ issued an ID (Order No. 36) granting the motion and terminating the investigation with respect to Doublestar. The ALJ noted that Commission rules permit a respondent to move for termination based on a consent order. *See* 19 C.F.R. § 210.21(c)(1)(ii). The ALJ found that the consent order stipulation submitted by Doublestar complies with the requirements of Commission Rule 210.21(c)(3). The ALJ also indicated that termination of the investigation as to Doublestar on the basis of the proposed consent order “does not impose any undue burdens on the public health and welfare, competitive conditions in the United States economy, production of like or directly competitive articles in the United States, or United States consumers.” The ALJ therefore granted the motion. No petitions for review of the ID 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 Part 210 of the Commission’s Rules of Practice and Procedure (19 C.F.R. Part 210).

By order of the Commission.



Lisa R. Barton
Acting Secretary to the Commission

Issued: March 31, 2014