

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

**In the Matter of**

**CERTAIN TONER CARTRIDGES AND  
COMPONENTS THEREOF**

**Investigation No. 337-TA-918**

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW TWO INITIAL  
DETERMINATIONS, ONE GRANTING IN PART SUMMARY DETERMINATION  
THAT THE IMPORTATION REQUIREMENT IS SATISFIED, AND THE OTHER  
GRANTING SUMMARY DETERMINATION THAT COMPLAINANT SATISFIES THE  
ECONOMIC PRONG OF THE DOMESTIC INDUSTRY REQUIREMENT**

**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 two initial determinations (“IDs”) (Order Nos. 20 and 22) of the presiding administrative law judge (“ALJ”), granting in part summary determination that the importation requirement is satisfied, and granting summary determination that complainant satisfies the economic prong of the domestic industry requirement, respectively.

**FOR FURTHER INFORMATION CONTACT:** 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 under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 (“Section 337”), on June 12, 2014, based on a complaint filed by Canon Inc. of Japan; Canon U.S.A., Inc. of Melville, New York; and Canon Virginia, Inc. of Newport News, Virginia (collectively, “Canon”). 79 *Fed. Reg.* 33777-78 (Jun. 12, 2014). The complaint alleges a violation of section 337 by reason of infringement of certain claims of U.S. Patent Nos. 8,280,278; 8,630,564; 8,682,215; 8,676,090; 8,369,744 (“the ‘744 patent”); 8,565,640 (“the ‘640 patent”); 8,676,085 (“the ‘085 patent”); 8,135,304 (“the ‘304 patent”); and 8,688,008 by numerous respondents. *Id.* Subsequently, the

investigation was partially terminated based on withdrawal of the complaint as to the following asserted claims: (1) claim 1 of the '744 patent (*i.e.*, all asserted claims); (2) claim 1 of the '640 patent (*i.e.*, all asserted claims); (3) claims 1, 2, 3, and 4 of the '085 patent (*i.e.*, all asserted claims); and (4) claim 1 of the '304 patent (*i.e.*, all asserted claims). The investigation was likewise terminated with respect to various respondents based on default or consent order stipulation.

Pursuant to 19 C.F.R § 210.18, complainant Canon moved for summary determination that the importation requirement of Section 337 is satisfied. Specifically, Canon sought a summary determination that the importation requirement is satisfied with respect to the accused products of the following respondents: Jiangxi Yibo E-Tech Co., Ltd., Aster Graphics Co., Ltd., and Aster Graphics, Inc. (collectively, "Aster"); American Internet Holdings, LLC and The Supplies Guys, LLC (collectively, "Supplies Guys"); Shenzhen ASTA Official Consumable Co., Ltd., Acecom, Inc. - San Antonio, Do It Wiser LLC, Grand Image Inc., Green Project, Inc., Nectron International, Inc., Online Tech Stores, LLC, Printronic Corporation, and Zinyaw LLC (collectively, the "Defaulting Respondents"). The Commission investigative attorney ("IA") filed a response supporting Canon's motion for summary determination. No other party responded to the motion. On January 15, 2015, the ALJ issued an ID (Order No. 20) granting Canon's motion in part. Based on the record, the ALJ found that the importation requirement of Section 337 is satisfied with respect to the accused products of the Aster and Supplies Guys respondents. The ALJ declined to grant summary determination as to the Defaulting Respondents. No party petitioned for review of ALJ Order No. 20, and the Commission has determined not to review it.

Complainant also moved for summary determination that it satisfies the economic prong of the domestic industry requirement. The IA filed a response supporting complainant's motion. No other party responded to the motion. On January 16, 2015, the ALJ issued an ID (Order No. 22) granting complainant's motion. Based on the evidence submitted with the motion, the ALJ determined that complainant satisfies the economic prong of the domestic industry requirement. No party petitioned for review of the ALJ Order No. 22, and the Commission has determined not to review it.

The authority for the Commission's determinations 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  
Secretary to the Commission

Issued: February 18, 2015