

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 AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO RESPONDENT
LD PRODUCTS, INC. BASED ON A CONSENT ORDER STIPULATION; 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. 16) issued by the presiding administrative law judge (“ALJ”) terminating the investigation as to respondent LD Products, Inc. based on a consent order stipulation. The Commission has issued a consent order.

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, 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.

On October 20, 2014, complainants Canon and respondent LD Products, Inc. ("LD Products") jointly moved to terminate the investigation as to LD Products based on a consent order stipulation. The Commission investigative attorney filed a response in support of the motion.

On November 3, 2014, the ALJ issued the subject ID (Order No. 16). He found that the joint motion satisfied Commission rule 210.21(c). The ALJ found no evidence that termination of this investigation as to respondent LD Products by consent order stipulation and proposed consent order would be contrary to the public interest. The ALJ granted the motion. No party petitioned for review of the subject ID, and the Commission has determined not to review it.

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
Secretary to the Commission

Issued: November 24, 2014