

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC

In the Matter of

**CERTAIN LOOM KITS FOR
CREATING LINKED ARTICLES**

Inv. No. 337-TA-923

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO RESPONDENT
ALTATAC, INC.**

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 (Order No. 11) granting an unopposed motion to terminate the above-captioned investigation as to respondent Altatac, Inc.

FOR FURTHER INFORMATION CONTACT: Clark S. Cheney, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-2661. 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 (<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 August 6, 2014, based on a complaint filed by Choon's Design, Inc., of Wixom, Michigan ("Choon's"). 79 *Fed. Reg.* 45844-45 (August 6, 2014). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), by reason of the importation into the United States, the sale for importation, and the sale within the United States after importation of certain loom kits for creating linked articles that infringe U.S. Patent No. 8,485,565. The notice of investigation names numerous respondents.

On December 8, 2014, Choon's moved to terminate the investigation against respondent Altatac, Inc. ("Altatac") based on withdrawal of the complaint against Altatac. On December 15, 2014, Choon's withdrew its original motion concerning Altatac and filed a new motion. On December

17, 2014, the Commission investigative attorney filed a response supporting the newly refiled motion. No other responses to the motion were received.

On December 18, 2014, the presiding administrative law judge (“ALJ”), issued Order No. 11, granting Choon’s motion and issuing an initial determination (“ID”) that the investigation should be terminated with respect to Altatac. The ALJ noted the existence of a settlement agreement between Choon’s and Altatac that concerned a district court action based on infringement of the same patent at issue in the present investigation. The ALJ determined there were no agreements between the parties concerning the subject matter of the investigation other than the settlement agreement. The ALJ found that Choon’s motion to withdraw its allegations against Altatac complies with Commission Rule 210.21. The ALJ determined that terminating the investigation with respect to Altatac would conserve public and private resources and noted that no extraordinary circumstances would preclude granting the motion. No petitions for review of the ID have been 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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', is centered on the page.

Lisa R. Barton
Secretary to the Commission

Issued: January 13, 2015