

**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 FINDING RESPONDENT  
ISLAND IN THE SUN LLC IN DEFAULT**

**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. 5) finding respondent Island in the Sun LLC in default.

**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. 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 infringement of U.S. Patent No. 8,485,565. The notice of investigation names numerous respondents, including Island in the Sun LLC, of Little Rock, Arkansas ("Island in the Sun").

On August 19, 2014, Island in the Sun filed a verified response to the complaint and notice of investigation. On August 25, 2014, Island in the Sun filed a notice of intent to default. No party filed a response to the notice of intent to default.

On September 16, 2014, the presiding administrative law judge (“ALJ”), issued Order No. 5. In the order the ALJ quoted Commission Rule 210.17(h), which concerns respondents who have filed a response to the complaint but later file a notice of intent to default. The rule requires the ALJ to issue an initial determination (“ID”) finding the respondent in default upon the filing of the notice. *See* 19 C.F.R. § 210.17(h). The rule also states that a default under the specified circumstances will be treated as any other failure to act identified in that section of the Rules. *Id.* The ALJ determined that Island in the Sun waived its right to participate in the investigation. The ALJ therefore issued an ID finding Island in the Sun to be in default. 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', written in a cursive style.

Lisa R. Barton  
Secretary to the Commission

Issued: October 16, 2014