

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

**In the Matter of**

**CERTAIN WINDSHIELD WIPERS AND  
COMPONENTS THEREOF**

**Investigation No. 337-TA-928**  
**Investigation No. 337-TA-937**  
**(Consolidated)**

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION GRANTING AN UNOPPOSED MOTION FOR PARTIAL  
TERMINATION OF THE INVESTIGATION AS TO CERTAIN CLAIMS**

**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. 41) of the presiding administrative law judge (“ALJ”) granting an unopposed motion for partial termination of the investigation as to certain claims.

**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 Investigation No. 337-TA-928, *Certain Windshield Wipers and Components Thereof*, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 (“Section 337”), on September 2, 2014, based on a complaint filed by Valeo North America, Inc. of Troy, MI, and Delmex de Juarez S. de R.L. de C.V. of Mexico (collectively, “Valeo”). The complaint alleges a violation of Section 337 by reason of infringement of certain claims of U.S. Patent Nos. 7,891,044 (“the ‘044 patent”); 7,937,798 (“the ‘798 patent”); and 8,220,106 by Federal-Mogul Corp. of Southfield, Michigan; Federal-Mogul Vehicle Component Solutions, Inc. of Southfield, Michigan; and Federal-Mogul S.A. of Aubange, Belgium (collectively, “Federal-Mogul”). 79 *Fed. Reg.* 52041-42 (Sep. 2, 2014).

On November 21, 2014, the Commission instituted Investigation No. 337-TA-937, *Certain Windshield Wipers and Components Thereof*, based on a separate complaint filed by Valeo. That complaint alleges a violation of Section 337 by reason of infringement of certain claims of the '044 patent and the '798 patent by Trico Products Corporation of Rochester Hills, Michigan; Trico Products of Brownsville, Texas; and Trico Componentes SA de CV of Tamaulipas, Mexico. 79 *Fed. Reg.* 69525-26 (Nov. 21, 2014).

On December 9, 2014, the ALJ consolidated Investigation Nos. 337-TA-928 and 337-TA-937. See ALJ Order No. 8 in investigation 337-TA-928. The Office of Unfair Import Investigations does not participate as a party in these consolidated investigations. Subsequently, the investigation was terminated as to the Federal-Mogul respondents based on a settlement agreement.

On July 22, 2015, Complainants Valeo filed an unopposed motion for partial termination of the investigation, pursuant to Commission Rule 210.21(a)(1), with respect to certain asserted claims, *i.e.*, claims 2, 5, 7, 10, 13, 18, 19, and 31 of the '044 patent, and claims 2-6, 8, 9, 11, and 14 of the '798 patent.

On September 3, 2015, the ALJ issued Order No. 41 in which he granted Valeo's motion. In reaching his determination, the ALJ found no extraordinary circumstance that prevents the partial termination of this investigation. He also found that partial termination of the investigation is in the public interest, as public and private resources will be conserved. Order No. 41 at 2 (citing *Certain Power Supplies*, Inv. No. 337-TA-646, Order No. 18 (Jan. 5, 2009)). 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: September 28, 2015