

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

In the Matter of

**CERTAIN STAINLESS STEEL
PRODUCTS, CERTAIN PROCESSES
FOR MANUFACTURING OR
RELATING TO SAME, AND CERTAIN
PRODUCTS CONTAINING SAME**

Investigation No. 337-TA-933

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION GRANTING A MOTION FOR
PARTIAL TERMINATION OF THE INVESTIGATION
BY WITHDRAWAL OF THE COMPLAINT AS TO CERTAIN RESPONDENTS**

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. 19) granting complainants’ motion for partial termination of the investigation based on withdrawal of the complaint against respondents Viraj Holdings P. Ltd.; Viraj - U.S.A., Inc.; Flanschenwerk Bebitz GmbH; Bebitz Flanges Works Pvt. Ltd.; Bebitz U.S.A.; Ta Chen Stainless Pipe Co., Ltd.; and Ta Chen International, Inc. (collectively, “Remaining Respondents”).

FOR FURTHER INFORMATION CONTACT: Lucy Grace D. Noyola, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3438. 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 October 10, 2014, based on a complaint filed by Valbruna Slater Stainless, Inc. of Fort Wayne, Indiana; Valbruna Stainless Inc., of Fort Wayne, Indiana; and Acciaierie Valbruna S.p.A. of Italy (collectively, “Valbruna”). 79 *Fed. Reg.* 61339 (Oct. 10, 2014). The complaint alleges

violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain stainless steel products, certain processes for manufacturing or relating to same, and certain products containing same by reason of the misappropriation of trade secrets, the threat or effect of which is to destroy or substantially injure an industry in the United States. *Id.* The notice of investigation names as respondents (1) Viraj Profiles Limited of Mumbai, India; Viraj Holdings P. Ltd. of Mumbai, India; Viraj - U.S.A., Inc. of Garden City, New York; (2) Flanschenwerk Bebitz GmbH of Könnern, Germany; Bebitz Flanges Works Pvt. Ltd. of Maharashtra, India; Bebitz U.S.A. of Garden City, New York (collectively, “Bebitz”); and Ta Chen Stainless Pipe Co., Ltd. of Tainan, Taiwan and Ta Chen International, Inc. of Long Beach, California (collectively, “Ta Chen”). *Id.* The Office of Unfair Import Investigations (“OUII”) also was named as a party to the investigation. *Id.*

On February 16, 2016, Valbruna filed a motion for partial termination of the investigation based on withdrawal of the complaint against the Remaining Respondents. On February 26, 2016, Bebitz filed a response opposing the motion. Ta Chen filed a response, stating that it did not oppose termination, but requesting that the presiding administrative law judge (“ALJ”) delay granting the motion until after ruling on a pending motion for summary determination that Valbruna’s trade secret misappropriation claim is time-barred. OUII filed a response supporting the motion to terminate.

On March 3, 2016, the ALJ issued the subject ID (Order No. 19), granting the motion. The ID found that there is good cause for partial termination of the investigation based on withdrawal of the complaint as to the Remaining Respondents. The ID found that the motion states that there are no agreements concerning the subject matter of the investigation. The ID further found no extraordinary circumstances that would preclude granting the motion to terminate and specifically rejected as not constituting extraordinary circumstances or irrelevant Bebitz’s and Ta Chen’s arguments seeking a ruling on Respondents’ summary determination motion before terminating the investigation and other arguments regarding the scope of the remedial orders.

On March 11, 2016, Bebitz and Ta Chen petitioned for review of the ID. On March 18, 2016, Valbruna and OUII filed responses to the two petitions.

Having examined the record of this investigation, including the ID, the petitions for review, and the responses thereto, the Commission has determined not to review the subject 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.



Lisa R. Barton
Secretary to the Commission

Issued: April 4, 2016