

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

**In the Matter of**

**CERTAIN DENTAL IMPLANTS**

**Investigation No. 337-TA-934**

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION GRANTING COMPLAINANTS' UNOPPOSED MOTION TO  
PARTIALLY TERMINATE THE INVESTIGATION AS TO CERTAIN CLAIMS OF  
U.S. PATENT NO. 8,764,443**

**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 the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 22) granting the motion of complainants Nobel Biocare Services AG of Switzerland and Nobel Biocare USA, LLC of Yorba Linda, California (collectively, "Nobel Biocare") to partially terminate the above-referenced investigation as to claims 16 and 29 of U.S. Patent No. 8,764,443 ("the '443 patent").

**FOR FURTHER INFORMATION CONTACT:** Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2301. 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 on October 27, 2014, based on a Complaint filed by Nobel Biocare, as supplemented. *79 Fed. Reg.* 63940-41 (Oct. 27, 2014). The Complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 ("section 337"), in the sale for importation, importation, and sale within the United States after importation of certain dental implants by reason of infringement of certain claims of U.S. Patent Nos. 8,714,977 and the '443 patent. The Complaint further alleges the existence of a domestic industry. The Commission's Notice of

Investigation named as respondents Neodent USA, Inc., of Andover, Massachusetts and JJGC Indústria e Comércio de Materiais Dentários S/A of Curitiba, Brazil (collectively, “Respondents”). The Office of Unfair Import Investigations was also named as a party to the investigation.

On April 7, 2015, Nobel Biocare filed a motion to partially terminate this investigation as to claims 16 and 29 of the '443 patent. The motion indicated that counsel for Respondents and the Commission investigative attorney do not oppose the motion.

On April 8, 2015, the ALJ issued the subject ID granting Nobel Biocare’s motion for partial termination. The ALJ found that the motion complies with the requirements of section 210.21(a)(1) of the Commission’s Rules of Practice and Procedure (19 C.F.R. § 210.21(a)(1)) and that there are no extraordinary circumstances that would warrant denying the motion. The ALJ also noted that Nobel Biocare continues to assert claims 15, 17-19, 29, 30, and 32 of the '443 patent.

No petitions for review of the subject ID were 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". The signature is stylized and cursive.

Lisa R. Barton  
Secretary to the Commission

Issued: April 29, 2015