

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN INK CARTRIDGES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-946

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION IN PART 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. 11) of the presiding administrative law judge (“ALJ”) terminating the investigation in part 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 this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 (“Section 337”), on January 27, 2015, based on a complaint filed by Epson Portland Inc. of Hillsboro, Oregon; Epson America, Inc. of Long Beach, California; and Seiko Epson Corporation of Japan (collectively, “Epson”). The complaint alleges a violation of Section 337 by reason of infringement of certain claims of U.S. Patent Nos. 8,366,233 (“the ‘233 patent”); 8,454,116 (“the ‘116 patent”); 8,794,749 (“the ‘749 patent”); 8,801,163 (“the ‘163 patent”); and 8,882,513 (“the ‘513 patent”) by numerous respondents. 80 *Fed. Reg.* 4314-16 (Jan. 27, 2015). The Office of Unfair Import Investigations is named as a party in this investigation. *Id.* at 4315.

On September 2, 2015, complainants Epson filed a motion for partial termination of the investigation by withdrawal of claim 4 of the '233 patent; claims 1, 5, 16, 24, 25, and 28 of the '116 patent; claims 3, 14, 15, 17, 20, 30, 36, and 61 of the '749 patent; claim 13 of the '163 patent; and claims 1, 3, and 7 of the '513 patent. No responses to the motion were filed.

On September 16, 2015, the ALJ issued the subject ID (Order No. 11). The ALJ found that the motion complies with relevant Commission Rules. The ALJ also found no evidence of extraordinary circumstances preventing the partial termination of this investigation and found that partial termination is in the public interest, as public and private resources will be conserved. Order No. 11 at 3-4. Based on the foregoing, the ALJ granted the motion. No party petitioned for review of Order No. 11, 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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton'.

Lisa R. Barton
Secretary to the Commission

Issued: October 15, 2015