

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN TOY FIGURINES AND TOY
SETS CONTAINING THE SAME**

Investigation No. 337-TA-948

**NOTICE OF THE COMMISSION'S DETERMINATION TO REVIEW AN INITIAL
DETERMINATION TERMINATING RESPONDENT LAROSE INDUSTRIES, LLC
D/B/A CRA-Z-ART BASED ON A CONSENT ORDER STIPULATION, A PROPOSED
CONSENT ORDER, AND A SETTLEMENT AGREEMENT**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 21) terminating respondent LaRose Industries, LLC d/b/a Cra-Z-Art ("LaRose") based on a consent order stipulation, a proposed consent order, and a settlement agreement.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2392. 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 March 16, 2015, based on a complaint filed by LEGO A/S of Billund, Denmark; LEGO System A/S of Billund, Denmark; and LEGO Systems, Inc. of Enfield, Connecticut. 80 Fed. Reg. 13629-30 (March 16, 2015). The complaint alleged 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 toy figurines and toy sets containing the same by reason of infringement of four U.S. design patents and four

registered U.S. copyrights. The notice of investigation named as respondents LaRose of Randolph, New Jersey; MEGA Brands, Inc., of Montreal, Quebec, Canada; and Best-Lock Construction Toys, Inc., of Miami, Florida (“Best-Lock”). Best-Lock has been terminated from the investigation based on a consent order. *See* Notice of a Commission Determination Not to Review an Initial Determination Terminating the Investigation as to Respondent Best-Lock Construction Toys, Inc., Based on a Consent Order Stipulation and Proposed Consent Order; Issuance of Consent Order (June 19, 2015). The Office of Unfair Import Investigations was also named as a party.

On July 9, 2015, Complainants and LaRose filed a joint motion to terminate LaRose based on a consent order stipulation, a proposed consent order, and a settlement agreement. On July 22, 2015, the investigative attorney filed a response in conditional support of the motion provided that the movants submit a revised version of the public settlement agreement that contained fewer redactions. On July 31, 2015, the ALJ ordered the movants to file a revised version of the public settlement agreement. *See* Order No. 18. The subject ID indicated that the movants complied on August 24, 2015. *See* Order No. 21 at 1.

On August 26, 2015, the ALJ granted the joint motion. The ALJ found that the consent order stipulation, the proposed consent order, and settlement agreement comply with the Commission’s rules. Order No. 21 at 1-3. The ALJ also found there is no evidence that termination of the investigation as to LaRose would be contrary to the public interest. *Id.* at 3. No petitions for review were filed.

The Commission has determined to review the subject ID because the consent order stipulation and the proposed consent order do not comply with Commission Rule 210.21(c). The moving parties are requested to file with the Commission no later than the close of business on October 9, 2015, revised versions of the consent order stipulation and proposed consent order in compliance with that Rule. Specifically, with respect to the consent order stipulation, paragraph 11 must include the word “final” and paragraph 12 must remove the phrase “except as provided by the Settlement Agreement.” *See* 19 C.F.R. 210.21(c)(3)(ii)(A) and (B). With respect to the proposed consent order, paragraph 9 must remove the phrase “except as provided by the Settlement Agreement.” *See* 19 C.F.R. 210.21(c)(4)(viii).

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 18, 2015