

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN WOVEN TEXTILE FABRICS AND
PRODUCTS CONTAINING SAME**

Investigation No. 337-TA-976

**NOTICE OF COMMISSION DECISION NOT TO REVIEW TWO
INITIAL DETERMINATIONS TERMINATING THE INVESTIGATION
AS TO TWO RESPONDENTS ON THE BASIS OF SETTLEMENT AGREEMENTS
AND PROPOSED CONSENT ORDERS; ISSUANCE OF CONSENT ORDERS**

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 determinations ("IDs") (Order Nos. 12-13), each of which terminated the investigation as to one respondent on the basis of a settlement agreement and proposed consent order.

FOR FURTHER INFORMATION CONTACT: Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2532. 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 TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on December 18, 2015, based on a supplemented and twice-amended complaint filed by AAVN, Inc. of Richardson, Texas ("AAVN"). 80 *Fed. Reg.* 79094 (December 18, 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, or the sale within the United States after importation of certain woven textile fabrics and products containing same, by reason of infringement of certain claims of U.S. Patent No. 9,131,790 ("the '790 patent") and/or by reason of false advertising. The notice of investigation named fifteen respondents, including AQ Textiles,

LLC of Greensboro, North Carolina (“AQ”); and Creative Textile Mills Pvt., Ltd. of Mumbai, India (“Creative”). The Office of Unfair Import Investigations was also named as a party.

On April 7, 2016, AAVN and AQ filed an amended motion to terminate the investigation as to AQ based upon a settlement agreement and consent order. *See* 19 C.F.R. § 210.21(b)-(c). On April 8, 2016, AAVN and Creative filed an amended motion to terminate the investigation as to Creative based upon a settlement agreement and consent order. On April 14, 2016, the Commission investigative attorney responded in support of both amended motions.

On April 8, 2016, the ALJ granted both amended motions as the subject IDs. Order No. 12 (AQ); Order No. 13 (Creative). The ALJ found that the settlement agreements, consent order stipulations, and proposed consent orders comply with Commission rules, 19 C.F.R. § 210.21(b)(1), (c)(3)-(c)(4). Order No. 12 at 1-4; Order No. 13 at 1-4. The ALJ further found that granting each motion would not adversely affect the public interest, *see* 19 C.F.R. § 210.50(b)(2). Order No. 12 at 5-6; Order No. 13 at 5-6.

No petitions for review of the ID were filed. The Commission has determined not to review the IDs and has issued the consent orders as to AQ and Creative.

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: May 13, 2016