

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN MOTORIZED
SELF-BALANCING VEHICLES**

Investigation No. 337-TA-1000

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION FINDING THREE RESPONDENTS IN DEFAULT**

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. 26) of the presiding administrative law judge (“ALJ”) finding respondents HoverTech of Hebron, Kentucky; Leray Group a/k/a ShanDao Trading Co., Ltd. (“Leray”) of Beijing, China; and Spaceboard USA (“Spaceboard”) of Norcross, Georgia in default.

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, D.C. 20436, telephone (202) 708-2310. 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 <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://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 May 26, 2016, based on a complaint filed on behalf of Razor USA LLC of Cerritos, California; and Inventist, Inc. and Shane Chen, both of Camas, Washington. 81 FR 33548-50. The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, by reason of infringement of certain claims of U.S. Patent No. 8,738,278. The complaint further alleges violations of section 337 based upon false advertising, misrepresentation, and unfair competition, the threat or effect of which is to destroy or substantially injure an industry in the United States or to prevent the establishment of such an industry. The Commission's notice of investigation named several respondents including HoverTech, Leray, and Spaceboard (collectively, “the non-responding respondents”). The Office of Unfair Import Investigations (“OUII”) is also a party to the investigation. The complaint and notice of investigation were served on HoverTech

and Spaceboard, and Leray has refused service of these documents. *See* Order No. 24 at 2-3. These non-responding respondents failed to respond to the complaint and notice of investigation.

On October 11, 2016, complainants filed a motion, pursuant to 19 CFR 210.16, for the following: (1) an order directing respondents HoverTech, Leray, and Spaceboard to show cause why they should not be found in default for failure to respond to the complaint and notice of investigation as required by 19 CFR 210.13; and (2) the issuance of an ID finding these three respondents in default upon their failure to show cause. The non-responding respondents did not respond to the motion and OUII supported the motion.

On October 27, 2016, the ALJ issued Order No. 24 which required the non-responding respondents to show cause no later than November 18, 2016, as to why they should not be held in default and have judgment rendered against them pursuant to 19 CFR part 210.16. No responses were received from these respondents.

The ALJ issued the subject ID on November 21, 2016, finding the non-responding respondents in default, pursuant to 19 CFR 210.16, because these three respondents did not respond to the complaint and notice of investigation and Order No. 24. No party petitioned for review.

The Commission has determined not to review the subject ID. Accordingly, HoverTech, Leray, and Spaceboard have been found in default.

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 CFR part 210.

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: December 13, 2016