

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN TONER CARTRIDGES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1106

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION 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 the initial determination (“ID”) (Order No. 33) of the presiding administrative law judge (“ALJ”) terminating the investigation as to the following claims (collectively, “the withdrawn claims”): claim 2 of U.S. Patent No. 9,746,826 (“the ’826 patent”); claims 10, 13, 18, and 20 of U.S. Patent No. 9,836,021 (“the ’021 patent”); claims 3, 8-9, 11, 16-18, 20, and 26 of U.S. Patent No. 9,841,729 (“the ’729 patent”); claim 9 of U.S. Patent No. 9,857,764 (“the ’764 patent”); and claims 4 and 6 of U.S. Patent No. 9,857,765 (“the ’765 patent”).

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 March 29, 2018, based on a complaint filed on behalf of Canon Inc. of Tokyo, Japan; Canon U.S.A. Inc. of Melville, New York; and Canon Virginia, Inc. of Newport News, Virginia. 83 FR 13516-17. 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 the ’826, ’021, ’729, ’764, and ’765 patents and U.S. Patent Nos. 9,869,960; 9,874,846; 9,841,727; and 9,841,728. The Commission’s notice of investigation named numerous respondents. The Office of Unfair

Import Investigations is also a party to the investigation.

On November 16, 2018, complainants filed an unopposed motion to terminate the investigation with respect to allegations of infringement of the withdrawn claims.

The ALJ issued the subject ID on November 26, 2018, granting the motion for partial termination as to these claims. She found that the motion for termination satisfied Commission rule 210.21(a)(1) and that no extraordinary circumstances exist that would prevent the requested partial termination. No petitions for review were filed.

The Commission has determined not to review the subject 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 CFR part 210.

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', written in a cursive style.

Lisa R. Barton
Secretary to the Commission

Issued: December 12, 2018