

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN POWERED COVER
PLATES**

Investigation No. 337-TA-1124

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION FINDING NON-RESPONSIVE 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. 18) of the presiding administrative law judge (“ALJ”) finding respondents Dazone LLC, Desteny Store, NEPCI-Zhejiang New-Epoch Communication Industry Co., Ltd., and Manufacturers Components Incorporated (collectively, “Defaulting Respondents”) in default.

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 <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 the investigation on July 23, 2018, based on a complaint filed by SnapRays, LLC d/b/a SnapPower of Vineyard, UT (“Complainant”). 83 FR 34871 (July 23, 2018). The complaint, as supplemented, alleges a violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain powered cover plates by reason of infringement of certain claims of U.S. Patent Nos. 9,871,324; 9,917,430; and 9,882,361, and U.S. Design Patent No. D819,426.

The notice of investigation named numerous respondents. The Commission's Office of Unfair Import Investigations was also named as a party. The Defaulting Respondents were served with the complaint and notice of investigation on July 18, 2018.

On September 27, 2018, the ALJ issued Order No. 7, granting Complainant's motion for an order to show cause. In that order, the Defaulting Respondents were ordered to show cause why they should not be held in default for failing to respond to the complaint and notice of investigation. The order set a deadline of October 11, 2018, and no responses were received from the Defaulting Respondents.

On November 28, 2018, the ALJ issued the subject ID (Order No. 18). The ALJ found that while the Defaulting Respondents were successfully served with the complaint and notice of investigation by the Office of the Secretary, they failed to respond to Order No. 7 and, accordingly, the ALJ determined that the Defaulting Respondents be found in default. Order No. 18 at 2. The ALJ further stated that the Defaulting Respondents therefore waived their right to appear, be served with documents, and to contest the allegations at issue in this investigation. *Id.* at 3. No party petitioned for review of the subject ID, 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', with a stylized flourish at the end.

Lisa R. Barton
Secretary to the Commission

Issued: December 21, 2018