

**UNITED STATES INTERNATIONAL TRADE COMMISSION**

**Washington, D.C.**

**In the Matter of**

**CERTAIN LUXURY VINYL TILE AND  
COMPONENTS THEREOF**

**Investigation No. 337-TA-1155**

**NOTICE OF COMMISSION DECISION NOT TO REVIEW INITIAL  
DETERMINATIONS GRANTING JOINT MOTIONS FOR PARTIAL  
TERMINATION OF THE INVESTIGATION AS TO CERTAIN RESPONDENTS  
BASED ON CONSENT ORDER STIPULATIONS 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 initial determinations (“IDs”) (Order Nos. 23-25) of the presiding administrative law judge (“ALJ”) granting joint motions to terminate the investigation as to Global Wood Inc. of Walnut, California; National Coverings, LLC of Fort Lauderdale, Florida; RC Vinyl Inc. of City of Industry, California; and JC Int’l Trading, Inc. of City of Industry, California (collectively, “Consenting Respondents”) based on consent order stipulations and proposed consent orders. The Commission has issued consent orders as to those respondents.

**FOR FURTHER INFORMATION CONTACT:** Houda Morad, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708-4716. 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 SW., 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:** On May 16, 2019, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), based on a complaint filed by Mohawk Industries, Inc. of Calhoun, Georgia; Flooring Industries Ltd. Sarl of Bertrange, Luxembourg; and IVC US Inc. of Dalton, Georgia (collectively, “Complainants”). *See* 84 FR 22161 (May 16, 2019). The complaint, as supplemented, alleges a violation of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain

luxury vinyl tile and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 9,200,460; 10,208,490; and 10,233,655. *See id.* The notice of investigation names numerous respondents, including Consenting Respondents. *See id.* The Office of Unfair Import Investigations (“OUII”) is also a party to the investigation. *See id.*

Complainants and Consenting Respondents filed joint motions to partially terminate the investigation as to the Consenting Respondents on September 9 and 10, 2019. OUII filed responses in support of the joint motions on September 20 and 23, 2019.

On October 2, 2019, the ALJ issued the subject IDs (Order Nos. 23-25) granting the joint motions. Pursuant to Commission Rule 210.21(c) (19 CFR 210.21(c)), the IDs note that the joint motions include a statement that “there are no other agreements, written or oral, express or implied, between Complainants and [the Consenting Respondents] concerning the subject matter of this Investigation.” *See* IDs at 3. In addition, the IDs find that the consent order stipulations and the proposed consent orders comply with Commission Rule 210.21(c)(3) and (4) (19 CFR 210.21(c)(3), (4)). *See id.* Furthermore, in accordance with Commission Rule 210.50(b)(2) (19 CFR 210.50(b)(2)), the IDs find no evidence that terminating this investigation as to the Consenting Respondents would be contrary to the public interest. *See id.* at 4. The IDs also stay the procedural schedule with respect to the Consenting Respondents pending Commission review of the IDs. *See id.*

No petition for review of the subject IDs was filed. The Commission has determined not to review the subject IDs.

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: October 23, 2019