

**UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, D.C.**

**In the Matter of**

**CERTAIN LAPAROSCOPIC SURGICAL  
STAPLERS, RELOAD CARTRIDGES,  
AND COMPONENTS THEREOF**

**Investigation No. 337-TA-1167**

**NOTICE OF A COMMISSION DETERMINATION  
EXTENDING THE DATE BY WHICH IT MUST DETERMINE WHETHER TO  
REVIEW THE FINAL INITIAL DETERMINATION**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined to extend the date by which it must determine whether to review the final initial determination (“FID”) of the presiding administrative law judge (“ALJ”) to August 16, 2021.

**FOR FURTHER INFORMATION CONTACT:** Benjamin S. Richards, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 708-5453. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.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 July 5, 2019, based on a complaint filed by Ethicon LLC of Guaynabo, PR; Ethicon Endo-surgery, Inc. of Cincinnati, OH; and Ethicon US, LLC of Cincinnati, OH. 84 FR 32220 (July 5, 2019); *see also* 84 FR 65174 (Nov. 26, 2019) (amending the caption). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based on the importation into the United States, the sale for importation, and the sale within the United States after importation of certain laparoscopic surgical staplers, reload cartridges, and components thereof by reason of infringement of one or more claims of U.S. Patent Nos. 9,844,379; 9,844,369; 7,490,749; 8,479,969; and 9,113,874. 84 FR at 32220. The Commission’s notice of

investigation named the following as respondents: Intuitive Surgical Inc. of Sunnyvale, CA; Intuitive Surgical Operations, Inc. of Sunnyvale, CA; Intuitive Surgical Holdings, LLC of Sunnyvale, CA; and Intuitive Surgical S. De R.L. De C.V. of Mexicali, Mexico. *Id.* The Office of Unfair Import Investigations is not participating in this investigation. *Id.*

On June 8, 2021, the ALJ issued his FID in this investigation. Accordingly, the current date by which the Commission must determine whether to review the FID is August 9, 2021.

The Commission has determined to extend the date by which it must determine whether to review the FID to August 16, 2021.

The Commission vote for this determination took place on August 6, 2021.

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: August 6, 2021