

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN POLYCRYSTALLINE
DIAMOND COMPACTS AND
ARTICLES CONTAINING SAME**

Investigation No. 337-TA-1236

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO RESPONDENT
FIDC BEIJING FORTUNE INTERNATIONAL DIAMOND BASED ON A CONSENT
ORDER; ISSUANCE OF A CONSENT ORDER**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined not to review an initial determination (“ID”) (Order No. 10) of the presiding administrative law judge (“ALJ”), terminating respondent FIDC Beijing Fortune International Diamond based on a consent order. The Commission has issued a consent order.

FOR FURTHER INFORMATION CONTACT: Ronald A. Traud, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3427. 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. 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 December 29, 2020, based on a complaint filed by US Synthetic Corporation of Orem, Utah. 85 FR 85661 (Dec. 29, 2020). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“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 polycrystalline diamond compacts and articles containing the same by reason of infringement of certain claims of U.S. Patent Nos. 9,932,274; 10,508,502; 9,315,881; 10,507,565; and 8,616,306. *Id.* The complaint further alleges that an industry in the United States exists as required by section 337. *Id.* The notice of investigation named numerous respondents, including FIDC

Beijing Fortune International Diamond of Beijing, China. *Id.* at 85662. The Office of Unfair Import Investigations is not participating in the investigation. *Id.*

On February 23, 2021, FIDC Beijing Fortune International Diamond filed an unopposed motion to terminate this investigation with respect to it based on a consent order stipulation and proposed consent order.

On February 24, 2021, the ALJ issued Order No. 10, the subject ID. The ID found that the motion, consent order stipulation, and proposed consent order satisfy the requirements of Commission Rule 210.21(c)(3) and (c)(4) (19 CFR 210.21(c)(3), (c)(4)). The ID also found that termination of FIDC Beijing Fortune International Diamond would not be contrary to the public interest. No party petitioned for review of the subject ID.

The Commission has determined not to review the ID. FIDC Beijing Fortune International Diamond is hereby terminated from the investigation.

The Commission vote for this determination took place on March 15, 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: March 15, 2021