

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 CERTAIN
PATENT CLAIMS**

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. 26) of the presiding administrative law judge (“ALJ”), terminating the investigation as to all claims of U.S. Patent Nos. 9,932,274 (“the ’274 patent”) and 9,315,881 (“the ’881 patent”), and with respect to claims 16, 17, and 19–20 of U.S. Patent No. 10,508,502 (“the ’502 patent”), claims 5, 11, 13, 15, and 19–20 of U.S. Patent No. 10,507,565 (“the ’565 patent”), and claim 21 of U.S. Patent No. 8,616,306 (“the ’306 patent.”)

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 (“USS”). 85 FR 85661 (Dec. 29, 2020). The complaint alleged violations 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 polycrystalline diamond compacts and articles containing same by reason of infringement of certain claims of the ’274, ’502, ’881, ’565, and ’306 patents. The complaint further alleged that

an industry in the United States exists as required by section 337. *Id.* The notice of investigation named numerous respondents. *Id.* at 85662. The Office of Unfair Import Investigations is not participating in the investigation. *Id.*

On July 13, 2021, USS moved for partial termination of the Investigation, under Commission Rule 210.21(a) (19 CFR 210.21(a)), based on withdrawal of its infringement allegations with respect to all claims of the '274 and '881 patents, and with respect to claims 16, 17, and 19–20 of the '502 patent, claims 5, 11, 13, 15, and 19–20 of the '565 patent, and claim 21 of the '306 patent. The respondents did not oppose the motion.

On July 14, 2021, the ALJ issued Order No. 26, the subject ID, which granted the motion. The ID found that the motion complied with the Commission's Rules and that there are no extraordinary circumstances warranting denying the motion. No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID. The following patent claims are hereby terminated from the investigation: all claims of the '274 and '881 patents, claims 16, 17, and 19–20 of the '502 patent, claims 5, 11, 13, 15, and 19–20 of the '565 patent, and claim 21 of the '306 patent.

The Commission vote for this determination took place on August 11, 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 11, 2021