

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN RADIO CONTROL HOBBY
TRANSMITTERS AND RECEIVERS AND
PRODUCTS CONTAINING SAME**

**Investigation No. 337-TA-763
(Modification)**

**NOTICE OF COMMISSION DETERMINATION TO INSTITUTE A MODIFICATION
PROCEEDING; MODIFY A LIMITED EXCLUSION ORDER;
AND TERMINATE THE MODIFICATION PROCEEDING**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined to institute a modification proceeding and modify the limited exclusion order (“LEO”) that was issued in the above-captioned investigation. The modification proceeding is terminated.

FOR FURTHER INFORMATION CONTACT: Edward S. Jou, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3316. 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, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: On September 27, 2011, the Commission issued an LEO in the above-captioned investigation based on a complaint filed by Horizon Hobby, Inc. of Champaign, Illinois (“Complainant”) alleging violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain radio control hobby transmitters and receivers and products containing same by reason of infringement of certain claims of U.S. Patent No. 7,391,320; U.S. Copyright Reg. No. TX-7-226-001; and U.S. Trademark Registration No. 3,080,770 (“the ’770 mark”). 76 FR 60872-73 (Sept. 30, 2011).

The LEO included a requirement that Complainant make annual filings with the Commission stating whether it continued to use the ’770 mark in commerce, but the Complainant has not made any such filings since 2017.

On March 24, 2026, the Commission issued a notice requesting written submissions from the public, the parties to the investigation, and other interested parties, on whether the LEO should be modified or rescinded under 19 U.S.C. 1337(k) and 19 CFR 210.76, in whole or in part. 91 FR 14879-80 (Mar. 27, 2026). The Commission did not receive any submissions in response to this notice.

Based on the foregoing and the lack of any response to the Commission's notice, the Commission has determined to institute a modification proceeding pursuant to Commission Rule 210.76, 19 CFR 210.76. In consideration of Complainant's failure to comply with the LEO's annual filing requirement to show continued use of the '770 mark, the Commission has determined that changed conditions of fact warrant modification of the LEO under 19 U.S.C. 1337(k). Accordingly, the Commission has determined to modify the LEO to rescind the exclusion based on the '770 mark. The modification proceeding is hereby terminated.

The Commission vote for this determination took place on July 31, 2026.

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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', with a stylized, cursive script.

Lisa R. Barton
Secretary to the Commission

Issued: July 31, 2026