

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC

In the Matter of

**CERTAIN LOOM KITS FOR CREATING
LINKED ARTICLES**

Inv. No. 337-TA-923

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW
TWO INITIAL DETERMINATIONS FINDING CERTAIN RESPONDENTS IN DEFAULT AND
TERMINATING THE INVESTIGATION WITH RESPECT TO ANOTHER RESPONDENT**

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 two initial determinations (Order Nos. 9 and 10) finding certain respondents in default and terminating the investigation with respect to another respondent.

FOR FURTHER INFORMATION CONTACT: Clark S. Cheney, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-2661. 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, S.W., Washington, D.C. 20436, telephone 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://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: The Commission instituted this investigation on August 6, 2014, based on a complaint filed by Choon's Design, Inc., of Wixom, Michigan ("Choon's"). *79 Fed. Reg.* 45844-45 (August 6, 2014). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), by reason of the importation into the United States, the sale for importation, and the sale within the United States after importation of certain loom kits for creating linked articles that infringe U.S. Patent No. 8,485,565. The notice of investigation names numerous respondents.

On August 4, 2014, the complaint and notice of investigation were served on respondents Yiwu Mengwang Craft & Art Factory, of Yiwu City, China ("Yiwu"); My Imports USA LLC, of Edison, New Jersey ("My Imports"); Jayfinn LLC, of Gilbert, Arizona ("Jayfinn"); Blinkee.com, LLC, of Fairfax, California ("Blinkee"); Eyyup Arga, of Lodi, New Jersey; Itcoolnomore, of Jinhua, China; and Altatac Inc., of Los Angeles, California ("Altatac"). On September 11, 2014, the complaint and notice of investigation were served on respondent Quality Innovations Inc., of Irwindale, California ("Quality"). On September 24, 2014, the complaint and notice of investigation were served on respondents Shenzhen Xuncent Technology Co., Ltd., of Shenzhen, China ("Shenzhen") and Hongkong Haoguan Plastic Hardware Co., Limited, of Shenzhen, China ("Hongkong"). Diligent attempts were also made to serve

the complaint and notice of investigation on respondent Wangying, of Jinhua, China. Attempts to serve Wangying were unsuccessful, apparently because Wangying no longer exists. None of the foregoing respondents responded to the complaint and notice of investigation.

On November 13, 2014, the presiding administrative law judge (“ALJ”) ordered the foregoing respondents, with the exception of Wangying, to show cause by December 1, 2014, why they should not be found in default for failing to respond to the complaint and notice of investigation. *See* Order No. 7. Only respondent Altatac responded to the show cause order.

On December 9, 2014, the ALJ issued an initial determination (“ID”) (Order No. 9) finding all respondents who did not respond to the show cause order to be in default. The ALJ noted that such respondents did not respond to the complaint, the notice of investigation, various discovery requests, and the show cause order. The ALJ found that respondent Altatac should not be held in default because it had responded to the show cause order.

On December 1, 2014, Choon’s filed an unopposed motion to withdraw allegations in the complaint against respondent Wangying, the respondent that had never been served. Choon’s therefore moved to terminate the investigation with respect to Wangying. On December 11, 2014, the ALJ granted the motion and issued an ID (Order No. 10) terminating the investigation with respect to Wangying. The ALJ noted that the motion averred that there were no agreements between Choon’s and Wangying concerning this investigation, and that Choon’s motion complied with Commission Rule 210.21.

No petitions for review of the IDs in Order Nos. 9 and 10 have been filed.

The Commission has determined not to review the 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 C.F.R. Part 210).

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: January 9, 2015