

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-887]

Certain Crawler Cranes and Components Thereof; Commission Determination Not To Review an Initial Determination Granting In-Part Complainants' Motion To Amend the Complaint and Notice of Investigation

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 an initial determination ("ID") (Order No. 10) granting in-part the motion of Complainants' to amend the complaint and notice of investigation.

FOR FURTHER INFORMATION CONTACT:

Amanda Pitcher Fisherow, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-2737. 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 SW., Washington, DC 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 July 17, 2013, based on a complaint filed by Manitowoc Cranes, LLC ("Manitowoc") of Manitowoc, Wisconsin. 78 FR 42800-01 (July 17, 2013). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, by reason of infringement of U.S. Patent No. 7,546,928 ("the '928 patent") and U.S. Patent No. 7,967,158, and that an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337. The complaint further alleges violations of section 337 by reason of trade secret misappropriation, the threat or effect of which is to destroy or substantially injure an industry in the United States or to prevent the

establishment of such an industry. The Commission's notice of investigation named Sany Heavy Industry Co., Ltd. of Changsha, China, and Sany America, Inc. of Peachtree City, Georgia as respondents.

On November 15, 2013, Manitowoc filed a motion seeking to amend the complaint and notice of investigation to assert (1) additional patent claims (*i.e.*, claims 6, 8, 10, 11 and 23-26 of the '928 patent), (2) additional trade secrets, and (3) an additional unfair act. The additional trade secrets include: (1) Manitowoc's pricing of its cranes within the domestic industry targeted by the Sany SCC8500 crane, including distributor discounts, profit margins, unit and dollar volumes, and manufacturing costs; (2) certain of Manitowoc's manufacturing processes and procedures, including its boom fabrication procedures, its methods for processing large weldments, and its material testing standards; (3) Manitowoc's engineering design standard for electrical schematics; (4) Manitowoc's pricing arrangements with certain parts vendors; and (5) Manitowoc's quality assurance metrics.

On November 27, 2013, the Office of Unfair Import Investigations ("OUII") replied and supported the motion in-part. Also on November 27, 2013, Respondents filed a response in which they did not oppose the addition of the patent claims, but opposed the remaining amendments to the complaint and notice of investigation.

On December 13, 2013, the ALJ granted Complainants' motion in-part. The ALJ granted Complainants' motion with respect to the addition of the patent claims and the alleged trade secrets relating to (1) the pricing of Manitowoc's cranes; (2) certain manufacturing process and procedures, that include boom fabrication procedures, methods for processing large weldments, and material testing standards; (3) engineering design standards for electrical schematics; and (4) quality assurance metrics. The ALJ found that the parties would not be prejudiced by the addition of these claims. The ALJ denied Complainants' motion to assert the alleged trade secret relating to Manitowoc's pricing arrangements with certain parts vendors because Manitowoc was aware of the alleged misappropriation before it filed the original complaint. No petitions for review were filed.

The Commission has determined not to review the subject ID.

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.

Issued: January 15, 2014.

Lisa R. Barton,

Acting Secretary to the Commission.

[FR Doc. 2014-01080 Filed 1-21-14; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-405, 406, and 408 and 731-TA-899-901 and 906-908 (Second Review)]

Hot-Rolled Steel Products From China, India, Indonesia, Taiwan, Thailand, and Ukraine; Determination

On the basis of the record¹ developed in the subject five-year reviews, the United States International Trade Commission (Commission) determines, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)), that revocation of the countervailing duty orders on hot-rolled steel products from India, Indonesia, and Thailand and the antidumping duty orders on hot-rolled steel products from China, India, Indonesia, Taiwan, Thailand, and Ukraine would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.²

Background

The Commission instituted these reviews on November 1, 2012 (77 FR 66078) and determined on February 4, 2013 that it would conduct full reviews (78 FR 11901, February 20, 2013). Notice of the scheduling of the Commission's reviews and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on April 16, 2013 (78 FR 24435, April 25, 2013) and revised on October 21, 2013 (78 FR 64008, October 25, 2013). The hearing was held in Washington, DC, on October 31, 2013, and all persons who requested the opportunity were permitted to appear in person or by counsel.

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

² Commissioners Meredith M. Broadbent and F. Scott Kieff dissent with respect to the determinations regarding hot-rolled steel products from Indonesia.

The Commission completed and filed its determination in these reviews on January 15, 2014. The views of the Commission are contained in USITC Publication 4445 (January 2014), entitled *Hot-Rolled Steel Products from China, India, Indonesia, Taiwan, Thailand, and Ukraine (Inv. Nos. 701-TA-405, 406, & 408 and 731-TA-899-901 & 906-908 (Second Review))*.

By order of the Commission.

Issued: January 16, 2014.

Lisa R. Barton,

Acting Secretary to the Commission.

[FR Doc. 2014-01169 Filed 1-21-14; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-877]

Certain Omega-3 Extracts From Marine or Aquatic Biomass and Products Containing the Same; Commission Determination Not To Review an Initial Determination Granting a Joint Motion To Terminate the Investigation With Respect to Respondents Aker Biomarine as, Aker Biomarine Antarctic as, and Aker Biomarine Antarctic USA, Inc. on the Basis of a Settlement Agreement

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 an initial determination (“ID”) (Order No. 40) of the presiding administrative law judge (“ALJ”) granting a joint motion to terminate the investigation with respect to respondents Aker Biomarine AS, Aker Biomarine Antarctic AS, and Aker Biomarine Antarctic USA, Inc. on the basis of a settlement agreement in the above-captioned investigation.

FOR FURTHER INFORMATION CONTACT: James A. Worth, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-3065. 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 SW., Washington, DC 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 April 17, 2013, based on a complaint filed on January 29, 2013, as amended on March 21, 2013, and supplemented on April 1, 2013, on behalf of Neptune Technologies & Bioresources Inc. of Laval, Québec, Canada and Acasti Pharma Inc., also of Laval, Québec, Canada (collectively, “Complainants”). 78 FR 22898-99 (April 17, 2013). The amended complaint alleged violations of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the sale for importation, importation, or sale within the United States after importation of certain omega-3 extracts from marine or aquatic biomass and products containing the same by reason of infringement of one or more of claims 1-46 and 94 of U.S. Patent No. 8,278,351 and claim 1 of the U.S. Patent No. 8,383,675. The Commission’s notice of investigation named as respondents Aker BioMarine AS of Oslo, Norway; Aker BioMarine Antarctic USA Inc. of Issaquah, Washington; Aker BioMarine Antarctic AS of Stamsund, Norway; Enzymotec Limited of Industrial Zone K’far Baruch, Israel; Enzymotec USA, Inc. of Morristown, New Jersey; Olympic Seafood AS of Fosnavåg, Norway; Olympic Biotec Ltd. of New Zealand; Avoca, Inc. of Merry Hill, North Carolina; Rimfrost USA, LLC of Merry Hill, North Carolina; and Bioriginal Food & Science Corp. of Saskatoon, Saskatchewan, Canada.

On December 13, 2013, Complainants and respondents Aker Biomarine AS, Aker Biomarine Antarctic AS, and Aker Biomarine Antarctic USA, Inc. (collectively, “the Aker Respondents”) filed an amended joint motion to terminate the investigation with respect to the Aker Respondents on the basis of a settlement agreement. The motion stated that no other respondent opposed. On December 16, 2013, the Commission investigative attorney filed a response in support of the motion. On December 17, 2013, the ALJ issued the subject ID (Order No. 40), granting Complainants’ motion.

After considering the ID and the relevant portions of the record, the Commission has determined not to review the ID. The Commission agrees with the ALJ that the amended joint motion for termination complies with

the requirements of Commission rule 210.21 and that the settlement does not adversely affect the public health and welfare, competitive conditions in the U.S. economy, the production of like or directly competitive articles in the United States, and U.S. consumers.

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).

Dated: January 15, 2014.

By order of the Commission.

Lisa R. Barton,

Acting Secretary to the Commission.

[FR Doc. 2014-01100 Filed 1-21-14; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-452 and 731-TA-1129-1130 (Review)]

Raw Flexible Magnets From China and Taiwan

Determination

On the basis of the record¹ developed in the subject five-year reviews, the United States International Trade Commission (Commission) determines, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)), that revocation of the countervailing duty order on raw flexible magnets from China and the antidumping duty orders on raw flexible magnets from China and Taiwan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Background

The Commission instituted these reviews on August 1, 2013 (78 FR 46604) and determined on November 20, 2013 that it would conduct expedited reviews (78 FR 73561, December 6, 2013).

The Commission completed and filed its determination in these reviews on January 15, 2014. The views of the Commission are contained in USITC Publication 4449 (January 2014), entitled *Raw Flexible Magnets from China and Taiwan: Investigation Nos. 701-TA-452 and 731-TA-1129-1130 (Review)*.

Dated: January 15, 2014.

¹ The record is defined in sec. 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR 207.2(f)).