INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–505 and 731–TA–1231, 1232, 1235, and 1237 (Final)]

Grain-Oriented Electrical Steel From China, Czech Republic, Korea, and Russia

Determ inations

On the basis of the record 1 developed in the subject investigations, the United States International Trade Commission ("Commission") determines, pursuant to sections 705(b) and 735(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)) and (19 U.S.C. 1673d(b)) ("the Act"), that an industry in the United States is not materially injured or threatened with material injury, and the establishment of an industry in the United States is not materially retarded, by reason of imports from China, Czech Republic, Korea, and Russia of grain-oriented electrical steel, provided for in subheadings 7225.11 and 7226.11 of the Harmonized Tariff Schedule of the United States, that are sold in the United States at less than fair value ("LTFV") and that are subsidized by the government of China.2

Background

The Commission instituted these investigations effective September 18, 2013, following receipt of a petition filed with the Commission and Commerce by AK Steel Corp., West Chester, Ohio; Allegheny Ludlum, LLC, Pittsburgh, Pennsylvania; and the United Steelworkers, Pittsburgh, Pennsylvania. The final phase of the investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of grain-oriented electrical steel from China were subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)) and that imports of grain-oriented electrical steel from China, Czech Republic, Korea, and Russia were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigations 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 notices in the Federal Register of June 4, 2014 (79 FR 32310) and August 20, 2014 (79 FR 49339). The hearing was held in Washington, DC, on July 24, 2014, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission completed and filed its determinations in these investigations on November 4, 2014. The views of the Commission are contained in USITC Publication 4500 (November 2014), entitled Grain-Oriented Electrical Steel From China, Czech Republic, Korea, and Russia: Investigation Nos. 701–TA–505 and 731–TA–1231, 1232, 1235, and 1237 (Final).

Issued: November 4, 2014.
By order of the Commission.
Lisa R. Barton,
Secretary to the Commission.


Scope of Investigation: Having considered the amended complaint, the U.S. International Trade Commission, on November 4, 2014, ordered that—(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine:

(a) Whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain personal transporters, components thereof, and manuals therefor by reason of infringement of certain claims of U.S. Patent No. 6,789,640 ("the '040 patent"); U.S. Patent No. 7,275,607 ("the '607 patent"); U.S. Patent No. 8,830,048 ("the '048 patent"); U.S. Design Patent No. D551,722 ("the '722 patent"); U.S. Design Patent No. D551,592 ("the '592 patent"); and Copyright Registration No. TX 7–800–563; and that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue a general exclusion order, or in the alternative a limited exclusion, and cease and desist orders.

ADDRESSES: The amended complaint, except for any confidential information contained therein, is 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., Room 112, Washington, DC 20436, telephone (202) 205–2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its Internet server at 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.

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 Commissioner Rhonda K. Schmidtlein dissented.

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