number ("Docket No. 3220") in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, Electronic Filing Procedures). Persons with questions regarding filing should contact the Secretary (202–205–2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) By the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel, solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§201.10 and 210.8(c) of the Commission’s Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.
Issued: May 1, 2017.

Lisa R. Barton,
Secretary to the Commission.

[FR Doc. 2017–09016 Filed 5–3–17; 8:45 am]
BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1054]

Certain Height-Adjustable Desk Platforms and Components Thereof; Institution of Investigation


ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on March 30, 2017, under section 337 of the Tariff Act of 1930, as amended, on behalf of Varidesk LLC of Coppell, Texas. A letter supplementing the complaint was filed on April 21, 2017. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain height-adjustable desk platforms and components thereof by reason of infringement of U.S. Patent No. 9,113,703 ("the ’703 patent"); U.S. Patent No. 9,277,809 ("the ’809 patent"); and U.S. Patent No. 9,554,644 ("the ’644 patent"). The complaint further alleges that an industry in the United States exists or is in the process of being established as required by the applicable Federal Statute.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The 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 https://www.usitc.gov. The public record for the investigation may be viewed on the Commission’s electronic docket (EDIS) at https://edis.usitc.gov.

FOR FURTHER INFORMATION CONTACT: The Office of the Secretary, Docket Services Division, U.S. International Trade Commission, Katherine Hiner, telephone (202) 205–1802.


Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on April 28, 2017, ordered that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine 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 height-adjustable desk platforms and components thereof by reason of infringement of one or more of claims 1, 2, 4, and 6–11 of the ’703 patent; claims 1–3, 5–18, and 22–27 of the ’809 patent; and claims 1–27, 29, 30, and 33–36 of the ’644 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is: Varidesk LLC, 1221 South Belt Line Road, #500, Coppell, TX 75019

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served: Lumi Legend Corporation, 22/F., Building 1, Lisi Plaza, Hufeng East Road, Nanning, China 315100; Innovative Office Products LLC, 100 Kuebler Road,, Easton, Pennsylvania 18040; Ergotech Group LLC, 100 Kuebler Road, Easton, Pennsylvania 18040; Transform Partners LLC (dba Mount-It!), 9520 Black Mountain Rd St D, San Diego, CA 92126–4532; Monoprice, Inc., 11701 6th Street, Rancho Cucamonga, CA 91730; Ningbo Loctek Visual Technology Corporation, Science & Technology Zone, Jiangshan Town, Yinzhou District, Ningbo, China 315191; Zhejiang Loctek Smart Drive Technology Co., Ltd., Science & Technology Zone, Jiangshan Town, Yinzhou District, Ningbo, China 315191; Loctek Inc., 47618 Kato Road, Fremont, CA 94538; Zoxux, Inc., 47618 Kato Road, Fremont, CA 94538.
The Office of Unfair Import Investigations will not participate as a party in this investigation; and
(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission’s Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.
Issued: May 1, 2017.
Lisa R. Barton,
Secretary to the Commission.

The U.S. International Trade Commission has determined not to review an initial determination (“ID”) (Order No. 28) of the presiding administrative law judge (“ALJ”) granting an unopposed motion to terminate the investigation in its entirety based upon withdrawal of the complaint.

FOR FURTHER INFORMATION CONTACT:
Panyin A. Hughes, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–3042. 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 at https://www.usitc.gov.

Supplementary Information: The Commission instituted Inv. No. 337-TA–982 on January 21, 2016, based on a complaint filed by ParkerVision, Inc. of Jacksonville, Florida (“ParkerVision”). 81 FR 3474–75 (Jan. 21, 2016). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain RF capable integrated circuits and products containing the same by reason of infringement of certain claims of U.S. Patent No. 8,571,135 (“the ’135 patent”; U.S. Patent No. 6,879,817 (“the ’817 patent”); U.S. Patent No. 7,929,638 (“the ’638 patent”); and U.S. Patent No. 9,118,528. The notice of investigation named the following respondents: Apple Inc. of Cupertino, California; LG Electronics, Inc. of Seoul, Republic of Korea; LG Electronics U.S.A., Inc. of Englewood Cliffs, New Jersey; LG Electronics MobileComm U.S.A., Inc. of San Diego, California; Qualcomm Incorporated of San Diego, California; Samsung Electronics Co., Ltd. of Suwon-Shi, Republic of Korea; Samsung Electronics America, Inc. of Ridgefield Park, New Jersey; and Samsung Semiconductor, Inc. of San Jose, California. Id. at 3474. The Office of Unfair Import Investigations is also a party to the investigation. Id. at 3475.

After institution, LG Electronics U.S.A., Inc. and the Samsung respondents separately were terminated from the investigation. See Notice (Aug. 18, 2016); Notice (Aug. 19, 2016). The asserted claims of the ’135 patent, the ’817 patent, and the ’638 patent were also terminated from the investigation. See Notice (Feb. 22, 2017); Notice (Sept. 7, 2016).

On March 12, 2017, ParkerVision moved to terminate the investigation in its entirety based upon withdrawal of the complaint. On March 23, 2017, the Commission investigative attorney filed a response in support of the motion. That same day, the respondents indicated that they do not oppose the motion.

On April 3, 2017, the ALJ issued the subject ID, granting the unopposed motion. The ALJ found that the motion complied with the requirements of Commission Rule 210.21(a)(1) (19 CFR 210.21(a)(1)) and further found that no extraordinary circumstances prohibited granting the motion. None of the parties petitioned for review of the ID.

The Commission has determined not to review the ID.