

## INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–590 and 731–TA–1397–98 (Preliminary)]

### Sodium Gluconate, Gluconic Acid, and Derivative Products From China and France

#### Determinations

On the basis of the record<sup>1</sup> developed in the subject investigations, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that there is a reasonable indication that an industry in the United States is threatened with material injury by reason of imports of sodium gluconate, gluconic acid, and derivative products from China, provided for in subheadings 2918.16.10, 2918.16.50 and 2932.20.50 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (“LTFV”) and to be subsidized by the government of China. The Commission further determines that there is no reasonable indication that an industry in the United States is materially injured or threatened with material injury by reason of imports of sodium gluconate, gluconic acid, and derivative products from France that are alleged to be sold in the United States at LTFV.<sup>2</sup>

#### Commencement of Final Phase Investigations

Pursuant to section 207.18 of the Commission’s rules, the Commission also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling, which will be published in the **Federal Register** as provided in section 207.21 of the Commission’s rules, upon notice from the Department of Commerce (“Commerce”) of affirmative preliminary determinations in the investigations under sections 703(b) or 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in those investigations under sections 705(a) or 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigations need not enter a separate appearance for the final phase

of the investigations. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

#### Background

On November 30, 2017, PMP Fermentation Products, Inc., Peoria, Illinois, filed a petition with the Commission and Commerce, alleging that an industry in the United States is materially injured or threatened with material injury by reason of LTFV and subsidized imports of sodium gluconate, gluconic acid, and derivative products from China and LTFV imports of sodium gluconate, gluconic acid, and derivative products from France. Accordingly, effective November 30, 2017, the Commission, pursuant to sections 703(a) and 733(a) of the Act (19 U.S.C. 1671b(a) and 1673b(a)), instituted countervailing duty investigation No. 701–TA–590 and antidumping duty investigation Nos. 731–TA–1397–98 (Preliminary).

Notice of the institution of the Commission’s investigations and of a public conference 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** of December 6, 2017 (82 FR 57614). The conference was held in Washington, DC, on December 21, 2017, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission made these determinations pursuant to sections 703(a) and 733(a) of the Act (19 U.S.C. 1671b(a) and 1673b(a)). It completed and filed its determinations in these investigations on January 16, 2018. The views of the Commission are contained in USITC Publication 4756 (January 2018), entitled *Sodium Gluconate, Gluconic Acid, and Derivative Products from China and France: Investigation Nos. 701 TA–590 and 731–TA–1397–98 (Preliminary)*.

By order of the Commission.

Issued: January 16, 2018.

**Lisa R. Barton,**

*Secretary to the Commission.*

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1094]

### Certain IoT Devices and Components Thereof (IoT, the Internet of Things)—Web Applications Displayed on a Web Browser; Institution of Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on October 3, 2017, under section 337 of the Tariff Act of 1930, as amended, on behalf of Lakshmi Arunachalam, Ph.D. of Menlo Park, California. Supplements were filed on October 24, October 30, and November 3, 2017. On November 7, 2017, an amended complaint was filed with the U.S. International Trade Commission under section 337 of the Tariff Act of 1930, as amended, on behalf of Lakshmi Arunachalam, Ph.D. and WebXchange, Inc., both of Menlo Park, California. Supplements were filed on November 7, 13, and December 21, 2017. On December 6, 2017, the Commission postponed the vote on whether to institute an investigation based on the amended complaint to January 9, 2017. The amended 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 IOT devices and components thereof (IOT, the Internet of Things)—web applications displayed on a web browser by reason of infringement of certain claims of U.S. Patent No. 7,930,340 (“the ‘340 patent”), and that an industry in the United States exists as required by the applicable Federal Statute. The amended complaint further alleges unfair methods of competition and unfair acts (criminal and civil RICO violations, breach of contract, theft of intellectual property, antitrust violations, and trade secret misappropriation), the threat or effect of which is to destroy or substantially injure an industry in the United States.

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 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.

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

<sup>2</sup> Chairman Rhonda K. Schmidlein dissenting. Chairman Schmidlein determines that there is a reasonable indication that an industry in the United States is materially injured by reason of imports of the subject product from China and France.