

Accordingly, parties are to file public interest submissions pursuant to 19 CFR 210.50(a)(4). In addition, members of the public are invited to file submissions of no more than five (5) pages, inclusive of attachments, concerning the public interest in light of the administrative law judge's Recommended Determination on Remedy and Bonding issued in this investigation on July 3, 2018. Comments should address whether issuance of a limited exclusion and/or cease and desist order in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

- (i) Explain how the articles potentially subject to the recommended order are used in the United States;
- (ii) identify any public health, safety, or welfare concerns in the United States relating to the recommended orders;
- (iii) indicate the extent to which like or directly competitive articles are produced in the United States or are otherwise available in the United States, with respect to the articles potentially subject to the recommended orders;
- (iv) indicate whether Complainant, Complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the recommended orders within a commercially reasonable time; and
- (v) explain how the recommended order would impact consumers in the United States.

Written submissions must be filed by the close of business on August 10, 2018.

Persons filing written submissions must file the original document electronically on or before the deadline stated above and submit eight true paper copies to the Office of the Secretary pursuant to Commission Rule 210.4(f), CFR part 210.4(f). Submissions should refer to the investigation number ("Inv. No. 337-TA-1053") in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, [https://www.usitc.gov/secretary/documents/handbook\\_on\\_filing\\_procedures.pdf](https://www.usitc.gov/secretary/documents/handbook_on_filing_procedures.pdf)). Persons with questions regarding filing should contact the Secretary at (202) 205-2000.

Any person desiring to submit a document to the Commission in confidence must request confidential treatment unless the information has

already been granted such treatment during the proceedings. All such requests should be directed to the Secretary of the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR part 210.6. Documents for which confidential treatment by the Commission is sought will be treated accordingly. A redacted non-confidential version of the document must also be filed simultaneously with any confidential filing. 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,<sup>1</sup> solely for cybersecurity purposes. All non-confidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.

This action is taken under authority of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: July 9, 2018.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2018-14955 Filed 7-12-18; 8:45 am]

**BILLING CODE P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1082]

### Certain Gas Spring Nailer Products and Components Thereof; Commission Decision Not To Review an Initial Determination Granting Complainant's Motion To Amend the Notice of Investigation To Add Claim 30 of U.S. Patent 8,267,297

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade

<sup>1</sup> All contract personnel will sign appropriate nondisclosure agreements.

Commission has determined not to review an initial determination ("ID") (Order No. 15) of the Chief Administrative Law Judge ("CALJ") granting Complainant's motion to amend the Notice of Investigation ("NOI") to add claim 30 of U.S. Patent No. 8,267,297 ("the '297 patent").

#### FOR FURTHER INFORMATION CONTACT:

Houda Morad, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-4716. 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>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://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:** On November 20, 2017, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("section 337"), based on an amended and supplemented complaint filed by Complainant Kyocera Senco Brands Inc. ("Kyocera") of Cincinnati, Ohio. See 82 FR 55118-19 (Nov. 20, 2017). The amended complaint, as supplemented, alleges a violation 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 gas spring nailer products and components thereof, by reason of infringement of one or more of U.S. Patent No. 8,011,547; U.S. Patent No. 8,267,296; U.S. Patent No. 8,267,297; U.S. Patent No. 8,387,718; U.S. Patent No. 8,286,722; and U.S. Patent No. 8,602,282. See *id.* The amended complaint named one respondent, namely, Hitachi Koki U.S.A., Limited ("Hitachi") of Braselton, Georgia. The Office of Unfair Import Investigations is not a party to the investigation. See *id.*

On June 4, 2018, Complainant Kyocera filed a motion (*Motion*) to amend the NOI to add claim 30 of the '297 patent on the basis that it was inadvertently omitted as a result of a clerical error. The ID finds that "good

cause exists for amending [the NOI]" under Commission Rule 210.14(b), 19 CFR 210.14(b). *See* ID at 2–3. Specifically, the ID reasons that "[c]orrecting a clerical error constitutes good cause to amend [the NOI]" and that "Complainant did not improperly delay in bringing [the *Motion*]." *See id.* at 3. The ID also finds that "amending the [NOI] to add claim 30 will not prejudice Respondent" because "[t]he parties proceeded throughout discovery as if claim 30 was within the scope of the Investigation." *See id.* at 4.

No petition for review of the subject ID was filed. The Commission has determined not to review the 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: July 9, 2018.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2018–14954 Filed 7–12–18; 8:45 am]

**BILLING CODE 7020–02–P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1122]

### Certain Convertible Sofas and Components Thereof; 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 June 7, 2018, under section 337 of the Tariff Act of 1930, as amended, on behalf of Sauder Manufacturing Company of Archbold, Ohio. A supplement to the complaint was filed on June 14, 2018. The complaint, as supplemented, 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 convertible sofas and components thereof by reason of infringement of U.S. Design Patent No. 716,576 ("the '576 patent"). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute.

The complainant requests that the Commission institute an investigation and, after the investigation, issue

limited exclusion order and a cease and desist order.

**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 this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Katherine M. Hiner, The Office of Docket Services, U.S. International Trade Commission, telephone (202) 205–1802.

#### SUPPLEMENTARY INFORMATION:

**Authority:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2018).

**Scope of Investigation:** Having considered the complaint, the U.S. International Trade Commission, on July 6, 2018, 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 products identified in paragraph (2) by reason of infringement of the claim of the '576 patent; and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and Procedure, 19 CFR 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is "convertible sofas that include the unitary combination of two upholstered seating areas, each bordered on the lateral end with a vertical armrest, such areas being separated by

a flat table member that can be placed substantially level with the seating areas as well as raised above the level of the seating areas to various degrees to provide an open space beneath the table and for the full width of the table. In addition, the sofa includes a full width, integral backrest that can be folded down on top of the seats and table to provide a sleep/rest surface";

(3) 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: Sauder Manufacturing Company, 930 West Barre Road, Archbold, OH 43502.

(b) The respondent is the following entity alleged to be in violation of section 337, and is the party upon which the complaint is to be served: Krug, Inc., 111 Ahrens Street, Kitchener, Ontario, Canada N2C 1L5

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge;

(5) The Office of Unfair Import Investigations will not be named as a party to this investigation.

Responses to the complaint and the notice of investigation must be submitted by the named respondent 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 the 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.