determinations are negative, upon notice of affirmative final
determinations in those investigations
under sections 705(a) or 735(a) of the
Act. Any 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 April 30, 2019, Hirsh Industries
LLC ("Hirsh"), Des Moines, IA, filed
petitions with the Commission and
Commerce, alleging that an industry in
the United States is materially injured
or threatened with material injury by
reason of subsidized imports of VMFCs
from China and LTFV imports of
VMFCs from China. Accordingly,
effective April 30, 2019, 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–623 and antidumping duty
investigation No. 731–TA–1449
(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 May 7, 2019 (84 FR
19958). The conference was held in
Washington, DC, on May 21, 2019, 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 June 14, 2019. The
views of the Commission are contained
in USITC Publication 4914 (June 2019),
titled Vertical Metal File Cabinets
from China: Investigation Nos. 701–TA–623
and 731–TA–1449 (Preliminary).

By order of the Commission.

Issued: June 14, 2019.

Lisa Barton,
Secretary to the Commission.

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INTERNATIONAL TRADE
COMMISSION

[Investigation No. 337–TA–1097]

Certain Solid State Storage Drives,
Stacked Electronics Components,
And Products Containing Same
Commission Determination Not To
Review an Initial Determination
Granting a Joint Motion To
Terminate the Investigation With
Respect to Certain Respondents;
Termination of the Investigation In Its
Entirety

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. 47) of the presiding
administrative law judge ("ALJ"),
granting a joint motion to terminate the
investigation as to respondents SK
hynix Inc.; SK hynix America, Inc.; Dell
Inc.; Dell Technologies Inc.; HP Inc.;
Hewlett Packard Enterprise Co.;
ASUSTeK Computer Inc.; ASUS
Computer International; Acer Inc.; Acer
America Corp.; Lenovo Group Ltd.; and
Lenovo (United States) Inc. The
investigation is terminated in its
entirety.

FOR FURTHER INFORMATION CONTACT:
Cathy Chen, Esq., Office of the General
Counsel, U.S. International Trade
Commission, 500 E Street SW,
Washington, DC 20436, telephone (202)
205–2392. 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
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: The
Commission instituted this investigation
on January 26, 2018, based on a
complaint filed by BITMICRO, LLC
("BITMICRO") of Reston, Virginia. 83
FR 3771 (Jan. 26, 2018). The complaint,
as amended, 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 solid state
storage drives, stacked electronics
components, and products containing
the same by reason of infringement of
one or more of claims 1, 2, 11, and 12
of U.S. Patent No. 7,826,243; claims 1–
20 of U.S. Patent No. 6,529,416; claims
1–101 of U.S. Patent No. 9,135,190; and
claims 12 and 16 of U.S. Patent No.
8,093,103. Id. The complaint also
alleges that an industry in the United
States exists as required by 19 U.S.C.
1337(a)(2). Id. The notice of
investigation named as respondents
Samsung Electronics Co., Ltd. of
Gyeonggi-do, Republic of Korea;
Samsung Semiconductor, Inc. of San
Jose, California; and Samsung
Electronics America, Inc. of Ridgefield
Park, New Jersey (collectively,
"Samsung"); VAIO Corporation of
Azumino, Japan ("VAIO"); Transcosmos
America Inc. of Gardena, California
("transcosmos"); SK hynix Inc. of
Gyeonggido, Republic of Korea; and SK
hynix America Inc. of San Jose,
California (collectively, "SK hynix"); Dell
Inc. of Round Rock, Texas; Dell
Technologies Inc. of Round Rock, Texas;
Lenovo Group Ltd. of Beijing, China;
Lenovo (United States) Inc. of
Morrisville, North Carolina; HP Inc. of
Palo Alto, California; Hewlett Packard
Enterprise Co. of Palo Alto, California;
ASUSTeK Computer Inc. of Taipei,
Taiwan; ASUS Computer International
of Fremont, California; Acer Inc. of New
Taipei City, Taiwan; and Acer America
Corp. of San Jose, California
(collectively, "Remaining
Respondents"). Id. at 3772. The Office of
Unfair Import Investigations ("OUII")
is also a party to the investigation. Id.
Respondents Samsung, VAIO, and
Transcosmos were terminated from the
investigation based on a settlement
agreement. See Order No. 45 (Apr. 26,
2019), not reviewed by Comm’n Notice
(May 15, 2019).

On January 30, 2019, Respondents
filed a motion for summary
determination with respect to the
technical prong of the domestic industry
requirement. BITMICRO and OUII each
filed a response opposing the motion.
Thereafter, Respondents filed a reply
brief.

On March 26, 2019, the ALJ issued
Order No. 31 (Mar. 26, 2019), granting-
in-part Respondents’ motion for summary determination with respect to the technical prong of the domestic industry requirement. BiTMICRO filed a petition for review of Order No. 31. Respondents and OUII each filed a response to the petition.

On April 9, 2019, BiTMICRO, SK hynix, and the Remaining Respondents filed a joint motion to stay the procedural schedule by four weeks to allow time to finalize a settlement agreement. The next day the ALJ issued Order No. 44 (Apr. 10, 2019), granting the joint motion to stay. The stay was extended pursuant to Order No. 46 (May 9, 2019).

On May 17, 2019, BiTMICRO, SK hynix, and the Remaining Respondents filed a joint motion to terminate the investigation in its entirety based on a settlement agreement between BiTMICRO and SK hynix pursuant to 19 CFR 210.21(b). On May 23, 2019, OUII filed a response supporting the motion.

On May 28, 2019, the ALJ issued the subject ID granting the motion to terminate. Order No. 47 at 1 (May 28, 2019). The ALJ found that the motion complies with the Commission Rules, and that no public interest factors prohibit the termination of this investigation as to SK hynix and the Remaining Respondents, who are downstream customers of SK hynix. Id. at 2–3. The ALJ found that the settlement agreement appears to resolve the disputes between BiTMICRO, SK hynix, and the Remaining Respondents. Id. at 2. No petitions for review were filed.

The Commission has determined not to review the subject ID. The Commission’s determination renders the ALJ’s findings in Order No. 31 moot. The Commission has determined to review and take no position on Order No. 31. The investigation is terminated in its entirety.


By order of the Commission.
Dated: June 17, 2019.
Lisa Barton,
Secretary to the Commission.
[FR Doc. 2019–13121 Filed 6–19–19; 8:45 am]