

no violation of section 337 in the above-referenced investigation, and to terminate the investigation 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 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: The Commission instituted this investigation on December 19, 2017, based on a complaint filed on behalf of Align Technology, Inc. ("Align") of San Jose, California. 82 FR 60215 (Dec. 19, 2017). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("section 337"), in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain intraoral scanners and related hardware and software by reason of infringement of one or more claims of U.S. Patent Nos.: 9,615,901 ("the '901 patent"); 8,638,448 ("the '448 patent"); 8,638,447 ("the '447 patent"); 6,845,175 ("the '175 patent"); and 6,334,853 ("the '853 patent"). *Id.* The complaint further alleges that a domestic industry exists. The Commission's notice of investigation named as respondents 3Shape A/S of Copenhagen K, Denmark and 3Shape, Inc., of Warren, New Jersey. The notice of investigation was amended to add 3Shape Trios A/S of Copenhagen K, Denmark as a respondent. 83 FR 13782 (Mar. 30, 2018). The Office of Unfair Import Investigations is not participating in the investigation. The investigation was terminated as to the '853 and '175 patents and certain claims of the '447, '448, and '901 patents based on the withdrawal of Align's allegations. See ID at 1–2.

On April 26, 2019, the ALJ issued the final ID, finding no violation of section

337 with respect to the '901, '448, and '447 patents. That same day, the ALJ issued her Recommended Determination on Remedy and Bonding. On May 13, 2019, Align filed a petition for review of the final ID, and Respondents filed a joint contingent petition for review of the final ID. The parties filed responses to the petitions on May 21, 2019.

On July 19, 2019, the Commission determined to review the final ID in its entirety.

Having considered the record of the investigation, including the parties' submissions to the Commission, the Commission decides as follows. The Commission "can issue only an exclusion order barring future importation or a cease and desist order barring future conduct," neither of which can issue as to an expired patent. *Texas Instruments Inc. v. U.S. Int'l Trade Comm'n*, 851 F.2d 342, 344 (Fed. Cir. 1988).

The '448 and '447 patents expired on August 5, 2019, which terminated the Commission's jurisdiction as to these patents and rendered the Commission's investigation with respect to these patents moot. *See id.*; 19 U.S.C. 1337(a)(1)(B)(i).

The '901 patent will expire on August 30, 2019, four days after the target date for completion of the investigation. Given the imminent expiration of the '901 patent, the ID's finding of no violation with respect to the '901 patent based on multiple grounds, and the schedule for Commission review established by the Commission's Rules of Practice and Procedure, the Commission finds that Align cannot obtain effective relief as to the '901 patent prior to its expiration. Even if the Commission were to reverse the ID in this investigation and find a violation with respect to the '901 patent, the Commission finds that it cannot grant relief as to the '901 patent before the patent expires given its long-standing procedures for determining the appropriate remedy and bonding, and for considering the public interest. Moreover, any exclusion order with respect to the '901 patent would likely not protect complainant from any injury until after the patent expires given that the ALJ recommended that no bond be imposed during the 60-day Presidential review period.

The Commission has therefore determined on review to vacate the final ID as moot, including the ID's finding of no violation of section 337 with respect to the asserted patents. The investigation is terminated in its entirety.

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 210).

By order of the Commission.

Issued: August 20, 2019.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2019-18183 Filed 8-22-19; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-1415 (Final)]

Glycine From Thailand; Scheduling of the Final Phase of Anti-Dumping Duty Investigation

AGENCY: United States International Trade Commission.

ACTION: Notice.

DATES: Effective Date: August 16, 2019.

FOR FURTHER INFORMATION CONTACT: Celia Feldpausch 202–205–2387, Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter 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 (<https://www.usitc.gov>). The public record for these investigations may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION: Effective October 31, 2018, the Commission established a general schedule for the conduct of the final phase of its investigations on glycine from China, India, Japan, and Thailand.¹ Due to the lapse in appropriations and ensuring cessation of Commission operations, the Commission revised its schedule on February 6, 2019, to conduct the final phase of its investigations on glycine from China, India, Japan, and Thailand² following preliminary determinations by the U.S. Department of Commerce

¹ Glycine From China, India, Japan, and Thailand; Scheduling of the Final Phase of Countervailing Duty and Anti-Dumping Duty Investigations (83 FR 62345, December 3, 2018).

² Glycine From China, India, Japan, and Thailand; Revised Schedule for Final Phase of Investigations (84 FR 3486, February 6, 2019).

(“Commerce”) that countervailable subsidies are being provided to producers and exporters of glycine from China and India³ and that imports of glycine from India and Japan,⁴ were being sold at less than fair value (“LTFV”) in the United States. 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 notice in the **Federal Register** of February 6, 2019 (84 FR 3486). The hearing was held in Washington, DC, on April 30, 2019, and all persons who requested the opportunity were permitted to appear in person or by counsel. The Commission subsequently determined that imports of glycine from India and Japan are sold in the United States at LTFV and that imports of glycine are being subsidized by the governments of China and India.⁵ Commerce has issued a final affirmative determination that glycine from Thailand is being, or is likely to be, sold in the United States at LTFV.⁶⁷

Accordingly, the Commission currently is issuing a supplemental schedule for its antidumping duty investigation on imports of glycine from Thailand.

This supplemental schedule is as follows: The deadline for filing supplemental briefs is August 30, 2019. Supplemental briefs may address only the Commission’s final antidumping duty determination regarding imports of glycine from Thailand. These supplemental briefs may not exceed fifteen (15) pages in length. The supplemental staff report in the final phase of this investigation regarding subject imports from Thailand will be placed in the nonpublic record on September 5, 2019; and a public version will be issued thereafter. Parties to this investigation may file supplemental

³ Glycine From the People’s Republic of China: Final Affirmative Countervailing Duty Determination (84 FR 18489, May 1, 2019) and Countervailing Duty Investigation of Glycine From India: Affirmative Final Determination (84 FR 18482, May 1, 2019).

⁴ Glycine From India: Final Determination of Sales at Less Than Fair Value (84 FR 18487, May 1, 2019) and Glycine From Japan: Final Determination of Sales at Less Than Fair Value (84 FR 18484, May 1, 2019).

⁵ Glycine From China, India, and Japan: Determinations (84 FR 29238, June 21, 2019).

⁶ Glycine From Thailand: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances in Part (84 FR 37998, August 5, 2019).

⁷ Glycine From Thailand: Final Negative Countervailing Duty Determination and Final Negative Critical Circumstances Determination (84 FR 38007, August 5, 2019).

final comments that contain no new factual information and may not exceed five (5) pages in length, on September 10, 2019.

For further information concerning this investigation see the Commission’s notice cited above and the Commission’s Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission’s rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission’s rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: This investigation is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission’s rules.

By order of the Commission.

Issued: August 19, 2019.

Lisa Barton,

Secretary to the Commission.

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provided for in subheading 4418.73.40 of the Harmonized Tariff Schedule, from the list of articles being considered for redesignation in table C of the Annex to USTR’s request letter. As a result, the Commission will not provide advice regarding this article.

DATES: September 9, 2019: Transmittal of Commission report to the USTR.

ADDRESSES: All Commission offices, including the Commission’s hearing rooms, are located in the United States International Trade Commission Building, 500 E Street SW, Washington, DC. All written submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW, Washington, DC 20436. 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:

Information specific to this investigation may be obtained from Mark Brininstool, Project Leader, Office of Industries (202-708-1395 or mark.brininstool@usitc.gov), Sharon Ford, Deputy Project Leader, Office of Industries (202-205-3084 or sharon.ford@usitc.gov), or Marin Weaver, Technical Advisor, Office of Industries (202-205-3461 or marin.weaver@usitc.gov). For information on the legal aspects of this investigation, contact William Gearhart of the Commission’s Office of the General Counsel (202-205-3091 or [william.gearhart@usitc.gov](mailto:wiliam.gearhart@usitc.gov)). The media should contact Margaret O’Laughlin, Office of External Relations (202-205-1819 or margaret.olaghlin@usitc.gov). Hearing-impaired individuals may obtain information on this matter by contacting the Commission’s TDD terminal at 202-205-1810. General information concerning the Commission may also be obtained by accessing its website (<http://www.usitc.gov>). 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.

Background: All dates and other information relating to this investigation remain the same as in the Commission’s notice of investigation and public hearing issued on June 7, 2019 and published in the **Federal Register** of June 11, 2019 (84 FR 27159).

By order of the Commission.

Issued: August 19, 2019.

Lisa Barton,

Secretary to the Commission.

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 332-572]

Generalized System of Preferences: Possible Modifications, 2018 Review

AGENCY: United States International Trade Commission.

ACTION: Notice of amendment of scope of investigation.

SUMMARY: Following receipt on August 8, 2019, of a correction to the United States Trade Representative’s (USTR) request letter of June 4, 2019, the U.S. International Trade Commission (Commission) has amended the scope of its investigation No. 332-572, Generalized System of Preferences: Possible Modifications, 2018 Review, and has removed assembled flooring panels of bamboo, other than for mosaic, multilayer, having a face ply more than 6 mm in thickness from Indonesia,