

of Kowloon, Hong Kong (“IFree”) based on a partial withdrawal of the complaint.

FOR FURTHER INFORMATION CONTACT:

Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708–5468. 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 (<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 September 23, 2019, based on a complaint filed by Brother Industries, Ltd., of Nagoya, Japan; Brother International Corporation (U.S.A.) of Bridgewater, New Jersey; and Brother Industries (U.S.A.), Inc., of Bartlett, Tennessee (together, “Brother”). 84 FR 49762–63. The complaint, as supplemented, 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 toner cartridges, components thereof, and systems containing same by reason of infringement of certain claims of U.S. Patent Nos. 9,568,856; 9,575,460; 9,632,456; 9,785,093; and 9,846,387. *Id.* The Commission’s notice of investigation named 32 respondents, including EPrinter and IFree. *Id.* at 49763. The Office of Unfair Import Investigations (“OUII”) is participating in this investigation. *Id.*

On January 10, 2020, Brother filed a motion seeking leave to amend the complaint and notice of investigation to correct the name for one respondent and to correct the address for seven respondents. Brother also sought to terminate the investigation with respect to EPrinter and IFree based on a partial withdrawal of the complaint due to the inability to serve those parties with the complaint and notice of investigation. On January 22, 2020, OUII filed a response in support of the motion.

On January 28, 2020, the ALJ issued the subject ID, and ordered that the complaint and notice of investigation be amended as requested. The subject ID additionally terminated the investigation with respect to EPrinter and IFree based on the withdrawal of the complaint with respect to those entities. No petitions for review of the ID were received.

The Commission has determined not to review the subject 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: February 25, 2020.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2020–04108 Filed 2–27–20; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1182]

Certain Argon Plasma Coagulation System Probes, Their Components, and Other Argon Plasma Coagulation System Components for Use Therewith Commission Determination Not To Review an Initial Determination Terminating the Investigation as to Certain Respondents and Granting Leave To Amend the Complaint and Notice of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined not to review an initial determination (“ID”) of the presiding administrative law judge (“ALJ”) terminating this investigation as to certain respondents and granting leave to amend the complaint and notice of investigation to add a respondent.

FOR FURTHER INFORMATION CONTACT: Ron Traud, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone 202–205–3427. 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, telephone 202–205–1810.

SUPPLEMENTARY INFORMATION: On November 8, 2019, the Commission instituted this investigation based on a complaint filed by Erbe Elektromedizin GmbH of the Republic of Germany and Erbe USA, Inc. of Marietta, Georgia. 84 FR 60451. The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 based upon the importation into the United States, the sale for importation, or the sale within the United States after importation of certain argon plasma coagulation system probes, their components, and other argon plasma coagulation system components for use therewith by reason of infringement of certain claims of U.S. Patent Nos. D577,671; 7,311,707; 7,717,911; 9,510,889; and 9,603,653. *Id.* The Commission’s notice of investigation named the following as respondents: (1) Olympus Corporation of Tokyo, Japan; (2) Olympus Corporation of the Americas of Center Valley, Pennsylvania; (3) Olympus America of Center Valley, Pennsylvania; (4) Olympus Surgical Technologies Europe of Hamburg, Republic of Germany; (5) Olympus Winter & Ibe GmbH of Hamburg, Republic of Germany; (6) Olympus KeyMed Group Limited of Essex, United Kingdom; (7) KeyMed (Medical & Industrial Equipment) Ltd. of Essex, United Kingdom; (8) Olympus Bolton of Bolton, United Kingdom; (9) Olympus Surgical Technologies Europe | Cardiff of Cardiff, United Kingdom. *Id.* at 60451–52. The Office of Unfair Import Investigations was also named as a party to this investigation. *Id.* at 60452.

On January 27, 2020, the private parties filed a joint, unopposed motion seeking to terminate this investigation in part based on withdrawal of the complaint as to named respondents Olympus KeyMed Group Limited, KeyMed (Medical & Industrial Equipment) Ltd., Olympus Bolton, and Olympus Surgical Technologies Europe | Cardiff. The motion also sought to amend the complaint and notice of investigation to add Gyrus Medical Ltd. as a named respondent.

On January 29, 2020, the ALJ issued Order No. 10, the subject ID, granting the motion. The ID finds that the motion complies with the Commission's Rules and that no extraordinary circumstances warrant denying the motion. No petitions for review of the subject ID were filed.

The Commission has determined not to review the subject 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: February 25, 2020.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2020-04109 Filed 2-27-20; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Antitrust Division

United States v. Olympus Growth Fund VI, L.P., et al.; Proposed Final Judgment and Competitive Impact Statement

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)–(h), that a proposed Final Judgment, Stipulation, and Competitive Impact Statement have been filed with the United States District Court for the District of Columbia in *United States of America v. Olympus Growth Fund VI, L.P., et al.*, Civil Action No. 1:20-cv-00464. On February 19, 2020, the United States filed a Complaint alleging that the proposed acquisition of the Plastics Division of DS Smith plc by Olympus Growth Fund VI, L.P., through its portfolio company Liqui-Box, Inc., would violate Section 7 of the Clayton Act, 15 U.S.C. 18. The proposed Final Judgment, filed at the same time as the Complaint, requires Defendants to divest all of DS Smith's Bag-in-Box (BiB) product lines that overlap with BiB product lines offered by Liqui-Box in the United States, including those for dairy, post-mix, smoothie, and wine.

Copies of the Complaint, proposed Final Judgment, and Competitive Impact Statement are available for inspection on the Antitrust Division's website at <http://www.justice.gov/atr> and at the Office of the Clerk of the United States District Court for the District of Columbia. Copies of these materials may be obtained from the Antitrust Division

upon request and payment of the copying fee set by Department of Justice regulations.

Public comment is invited within 60 days of the date of this notice. Such comments, including the name of the submitter, and responses thereto, will be posted on the Antitrust Division's website, filed with the Court, and, under certain circumstances, published in the **Federal Register** Comments should be directed to Katrina Rouse, Chief, Defense, Industrials, and Aerospace Section, Antitrust Division, Department of Justice, 450 Fifth Street NW, Suite 8700, Washington, DC 20530 (telephone: 202-598-2459).

Amy Fitzpatrick,

Counsel to the Senior Director of Investigations and Litigation.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA, U.S. Department of Justice, Antitrust Division, 450 5th Street NW, Suite 8700, Washington, DC 20530, Plaintiff, v. OLYMPUS GROWTH FUND VI, L.P., One Station Place, Stamford, CT 06902, LIQUI-BOX, INC., 901 E. Byrd Street, Richmond, VA 23219, and DS SMITH PLC, 350 Euston Road, London, NW1 3AX, Defendants.

Civil Action No.: 1:20-cv-00464

Judge: Hon. Christopher Cooper

Complaint

The United States of America ("United States"), acting under the direction of the Attorney General of the United States, brings this civil antitrust action against Defendants Olympus Growth Fund VI, L.P. ("Olympus"), Liqui-Box, Inc. ("Liqui-Box"), and DS Smith plc ("DS Smith") to enjoin Olympus's proposed acquisition of DS Smith's Plastics Division ("DS Smith Plastics"), through Liqui-Box, a portfolio company of Olympus. The United States complains and alleges as follows:

I. Nature of the Action

1. Pursuant to a Stock Purchase Agreement dated March 5, 2019, Liqui-Box proposes to acquire DS Smith Plastics for approximately \$500 million, making the combined company one of the largest bag-in-box ("BiB") suppliers in the United States.

2. BiBs are engineered plastic bags used to store and dispense liquids such as milk, post-mix (e.g., soda syrups and other beverage concentrates), smoothies, and wine. BiBs are made up of a single or multi-layer plastic film bag and an attached fitment, which is a plastic component used to facilitate the transfer of the liquids into and out of the bags. After a BiB is manufactured, it is

shipped empty to the customer, who fills the BiB with liquid and then sells the filled BiB. Customers, such as dairies, soft-drink manufacturers, and other food producers, rely on BiBs to preserve and safely transport their liquids to restaurants, convenience stores, other food service operators, and retail outlets.

3. In the United States, Liqui-Box and DS Smith are two of only three significant suppliers of BiBs for nearly all end uses, including dairy, post-mix, and smoothies. Liqui-Box and DS Smith also are two of only four significant suppliers of BiBs for wine in the United States. The proposed acquisition will eliminate competition between Liqui-Box and DS Smith to supply these BiBs to customers and is likely to lead to increased prices, lower quality and service, and less innovation.

4. As a result, the proposed acquisition likely would substantially lessen competition for the development, manufacture, and sale of dairy, post-mix, smoothie, and wine BiBs in the United States in violation of Section 7 of the Clayton Act, 15 U.S.C. 18, and should be enjoined.

II. The Parties and the Transaction

5. Olympus, a fund managed by private equity firm Olympus Partners, is a Delaware limited partnership with headquarters in Stamford, Connecticut. In 2018, Olympus Partners had approximately \$8.5 billion total capital under management between its different funds, with Olympus comprising approximately \$2.3 billion of that total.

6. Liqui-Box, a company owned by Olympus, is a Delaware corporation with headquarters in Richmond, Virginia. Liqui-Box is a global manufacturer of packaging and packaging equipment, including BiBs, with four U.S. manufacturing facilities, as well as additional facilities across the world. In 2018, Liqui-Box had total sales of \$177 million, including approximately \$123 million in the United States.

7. DS Smith is a United Kingdom public limited company with headquarters in London, England. DS Smith is a global manufacturer of packaging, packaging equipment, and recycled paper. DS Smith operates DS Smith Plastics, a division that manufactures flexible packaging and dispensing solutions, rigid packaging, injection-molded products, and foam products. Among DS Smith Plastics' flexible packaging products are BiBs, which are primarily sold under the Rapak brand name in the United States. DS Smith Plastics has its U.S. headquarters in Romeoville, Illinois,