

public comment period may end before the time indicated following the last call for comments. Contact Deborah Gartrell-Kemp to register as a speaker. Meeting materials will be posted at <https://www.usfa.fema.gov/training/nfa/about/bov.html> by March 1, 2021.

Eriks J. Gabliks,

*Superintendent, National Fire Academy,
United States Fire Administration, Federal
Emergency Management Agency.*

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BILLING CODE 9111-74-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1241]

Certain Electrical Connectors and Cages, Components Thereof, and Products Containing the Same: 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 December 18, 2020, under section 337 of the Tariff Act of 1930, as amended, on behalf of Amphenol Corp. of Wallingford, Connecticut. Supplements to the complaint were filed on December 22, 2020 and January 6, 2021. 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 electrical connectors and cages, components thereof, and products containing the same by reason of infringement of certain claims of U.S. Patent No. 7,371,117 (“the ‘117 Patent’”); U.S. Patent No. 8,371,875 (“the ‘875 Patent’”); U.S. Patent No. 8,864,521 (“the ‘521 Patent’”); U.S. Patent No. 9,705,255 (“the ‘255 Patent’”); and U.S. Patent No. 10,381,767 (“the ‘767 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 a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email

EDIS3Help@usitc.gov. 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>.

FOR FURTHER INFORMATION CONTACT:

Katherine Hiner, 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 (2020).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on January 19, 2021, *ordered that—*

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation is 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 certain products identified in paragraph (2) by reason of infringement of one or more of claims 1, 2, 9, 11, 24-27, and 29 of the ‘117 patent; claims 1, 2, 9, 10, 12, and 13 of the ‘875 patent; claims 33-35, 38-40, 45, 46, and 48-50 of the ‘521 patent; claims 1-3, 5-8, 12-14, and 16-18 of the ‘255 patent; claims 1-7, 9-17, 19-23, 24-27, and 28-30 of the ‘767 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 “high speed electrical connectors, components thereof, electrical connectors disposed within metal cages, and products containing the same, including electrical connectors mounted to printed circuit boards, such as test boards, test fixtures, or mated compliance boards;”

(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: Amphenol Corp. 358 Hall Ave. Wallingford, CT 06492.

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served: Luxshare Precision Industry Co., Ltd. No. 17 Kuiqing Rd. Qinghuang Industrial Zone, Qingxi Town Dongguan City, Guangdong province, 523650 China

Dongguan Luxshare Precision Industry Co. Ltd. Floor 1, Building 5, No. 313, Beihuan Road, Qingxi Town, Dongguan City, Guangdong province, 523000 China

Luxshare Precision Limited (HK) Unit 2018, 20F, Shatin Galleria 18-24 Shan Mei Street Fotan, New Territories, Hong Kong

Luxshare-ICT Inc. 890 Hillview Court, #200 Milpitas, CA 95035

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

The Office of Unfair Import Investigations will not participate as a party in this investigation.

Responses to the complaint and the notice of investigation must be submitted by the named respondents 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), as amended in 85 FR 15798 (March 19, 2020), such responses will be considered by the Commission if received not later than 20 days after the date of service by the complainant 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 a 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.

Issued: January 21, 2021.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2021-01649 Filed 1-25-21; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1118 (Advisory
Opinion Proceeding)]

Certain Movable Barrier Operator Systems and Components Thereof Notice of a Commission Determination To Institute an Advisory Opinion Proceeding

AGENCY: U.S. International Trade
Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (the "Commission") has determined to institute an advisory opinion proceeding, as requested by respondents Nortek Security & Control, LLC of Carlsbad, California; Nortek, Inc. of Providence, Rhode Island; and GTO Access Systems, LLC of Tallahassee, Florida (collectively, "Nortek"). The Commission has further determined to set a target date of six months from the date of institution for completion of this proceeding, and to refer this matter to the Chief Administrative Law Judge ("CALJ") for assignment to an administrative law judge ("ALJ") for appropriate proceedings and a recommendation, to be completed within four months from the date of institution.

FOR FURTHER INFORMATION CONTACT: Carl P. Bretscher, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2382. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket system ("EDIS") at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.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: The Commission instituted this investigation on June 11, 2018, based on a complaint, as supplemented, filed by The

Chamberlain Group, Inc. ("CGI") of Oak Brook, Illinois. 83 FR 27020-21 (June 11, 2018). The complaint alleges that Nortek violated section 337 of the Tariff Act, as amended, 19 U.S.C. 1337 ("Section 337") by importing, selling for importation, or selling in the United States after importation certain movable barrier operator ("MBO") systems, including garage door openers ("GDOs"), that allegedly infringe one or more of the asserted claims of U.S. Patent Nos. 7,755,223 ("the '223 patent"), 8,587,404 ("the '404 patent"), and 6,741,052 ("the '052 patent"). *Id.* The Office of Unfair Import Investigations was not named as a party to this investigation. *Id.*

On December 12, 2018, CGI filed an opposed motion for summary determination that it satisfied the economic prong of the domestic industry requirement. On June 6, 2019, the presiding ALJ issued a notice advising the parties that the motion would be granted and a formal written order would follow. Order No. 26 (June 6, 2019).

On November 25, 2019, the ALJ issued Order No. 38, granting CGI's motion for summary determination that its investments in labor and capital were "significant" and satisfied the economic prong of the domestic industry requirement under 19 U.S.C. 1337(a)(3)(B). Order No. 38 (Nov. 25, 2019). Order No. 38 denied summary determination with respect to CGI's investments in plant and equipment under 19 U.S.C. 1337(a)(3)(A). *Id.*

On the same date, the ALJ issued the final Initial Determination on Violation of Section 337 ("Final ID") and Recommended Determination on Remedy and Bond ("RD"), finding no violation of Section 337 because the asserted claims of the '223 and '404 patents are not infringed and the asserted claim of the '052 patent is invalid.

On February 19, 2020, the Commission issued a notice of its determination to review Order No. 38 and to partially review the Final ID with respect to certain issues relating to each of the three asserted patents. 85 FR 10723-26 (Feb. 25, 2020).

On April 22, 2020, the Commission affirmed there is no violation with respect to the '404 and '052 patents. Comm'n Notice at 3 (April 22, 2020). The Commission also vacated Order No. 38 and remanded the economic prong issue to the presiding ALJ for further proceedings, while the Commission continued to review issues relating to the '223 patent. *Id.*; Order Vacating and Remanding Order No. 38 (April 22, 2020) ("Remand Order").

On July 10, 2020, the ALJ issued a Remand Initial Determination ("Remand ID"), finding that CGI made significant investments in plant and equipment and labor and capital sufficient to satisfy the economic prong of the domestic industry requirement under both Sections 337(a)(3)(A) and (B) (19 U.S.C. 1337(a)(3)(A), (B)), respectively. Remand ID (July 10, 2020). On September 9, 2020, the Commission determined to review the Remand ID. 85 FR 57249-51 (Sept. 15, 2020).

On December 3, 2020, the Commission determined that Nortek violated Section 337 by way of infringing claims 1 and 21 of the '223 patent. The Commission issued a limited exclusion order and cease and desist orders against Nortek and imposed a bond in the amount of 100 percent of the entered value of the covered products during the period of Presidential review.

On December 18, 2020, Nortek filed the subject request for an advisory opinion that GDOs that allegedly operate their obstacle detectors at a constant energy level do not infringe asserted claims 1 or 21 of the '223 patent, and thus are not covered by the remedial orders. CGI filed its opposition to Nortek's request on December 30, 2020.

On January 7, 2021, Nortek filed a motion seeking leave to file a reply to CGI's opposition. On January 11, 2021, CGI opposed Nortek's motion. The Commission has determined to deny Nortek's motion.

Having reviewed the parties' submissions in view of the record below, the Commission has determined to institute an advisory opinion proceeding, per Nortek's request, to ascertain whether GDOs that allegedly operate their obstacle detectors at a constant energy level infringe asserted claims 1 or 21 of the '223 patent and are covered by the remedial orders issued in this investigation. The Commission has determined to refer the matter to the CALJ for assignment to an ALJ for appropriate proceedings and a recommendation. The ALJ shall conduct any appropriate proceedings and issue an initial advisory opinion within four months from the date that the Commission's notice to conduct the proceeding is published in the **Federal Register**. The target date shall be two months thereafter. The ALJ may extend the target date, allowing two months for Commission review, for good cause.

The Commission voted to approve these determinations on January 19, 2021.

The authority for the Commission's determinations is contained in Section