

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1255]

Certain Apparatus and Methods of Opening Containers; Notice of 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 January 28, 2021, under section 337 of the Tariff Act of 1930, as amended, on behalf of Draft Top, LLC of Long Branch, New Jersey. Supplements to the complaint were filed on February 12 and 19 and March 1 and 2, 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 apparatus and methods of opening containers by reason of infringement of a claim of U.S. Patent No. 10,519,016 (“the ‘016 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 general exclusion order, or in the alternative 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: Pathenia M. Proctor, The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

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 March 15, 2021, *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 certain products identified in paragraph (2) by reason of infringement of claim 12 of the ‘016 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 “apparatus(es) and products which are used for opening canned beverage containers by removing the top of the can;”

(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: Draft Top, LLC, 179 Riddle Avenue, Long Branch, NJ 07740.

(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:

Mintiml, Longhe Industrial Concentration Zone, Panshui Town, Yangzhou, Jiangsu 225800, China
KKS Enterprises Co., Ltd., Room 701 Xigang Xinje 7C, No. 206 Zhenhua Road, Sandun Town, Hangzhou 310030, China
Kingskong Enterprises Co., Ltd., 126 Zhaohui Rd, Hangzhou 310050, China
Du Zuojun, Level 1, Shenzhen International Airport Cargo, Shenzhen, Guangdong 510810, China
WN Shipping USA, Inc., 475 Doughty Blvd., Inwood, NY 11096
Shuje Wei, 2855 S Reservoir Drive, No. 130, Pomona, CA 91766
Express Cargo Forwarded, Ltd., 10722 S La Cienega Blvd., Los Angeles, CA 90304
Tofba International, Inc., 12833 Chadron Avenue, Hawthorne, CA 90250
Hou Wenzheng, 1200 Worldwide Blvd., Hebron, KY 41048

(c) The Office of Unfair Import Investigations, U.S. International Trade

Commission, 500 E Street SW, Suite 401, Washington, DC 20436; and

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

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: March 15, 2021.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2021-05639 Filed 3-17-21; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1193]

Certain Capacitive Touch-Controlled Mobile Devices, Computers, and Components Thereof; Commission Determination Not To Review an Initial Determination Terminating the Investigation as to Respondents Amazon, Apple, LG, Microsoft, Motorola, Samsung, and Sony Based on Settlement; Termination 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”) (Order No. 22) of the presiding administrative law judge (“ALJ”) terminating the investigation with respect to the remaining respondents (Amazon, Apple, LG, Microsoft, Motorola, Samsung, and Sony) based on settlements. This investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Ronald A. Traud, Esq., 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 may be viewed on the Commission’s electronic docket (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 on (202) 205–1810.

SUPPLEMENTARY INFORMATION: On March 20, 2020, the Commission instituted this investigation based on a complaint filed by Neodron Ltd. of Dublin, Ireland (“Neodron”). 85 FR 16130 (Mar. 20, 2020). 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 capacitive touch-controlled mobile devices, computers, and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 7,821,425; 7,903,092; 8,749,251; and 9,411,472. *Id.* The Commission’s notice of investigation named as respondents Amazon.com, Inc. of Seattle, Washington (“Amazon”); Apple Inc. of Cupertino, California (“Apple”); LG Electronics Inc. of Seoul, Republic of Korea; LG Electronics USA, Inc. of Englewood Cliffs, New Jersey (collectively, “LG”); Microsoft Corporation of Redmond, Washington (“Microsoft”); Motorola Mobility LLC of Chicago, Illinois (“Motorola”); Samsung Electronics Co., Ltd. of Suwon, Republic of Korea; Samsung Electronics America, Inc. of Ridgefield Park, New Jersey (collectively, “Samsung”); Sony Corporation of Tokyo, Japan; Sony Mobile Communications Inc. of Tokyo, Japan (collectively, “Sony”); and ASUSTeK Computer Inc. of Taiwan;

ASUS Computer International of Fremont, California (collectively, “ASUS”). *Id.* at 16131. The Office of Unfair Import Investigations (“OUII”) is participating in the investigation. *Id.*

On November 24, 2020, this investigation was terminated as to ASUS. Order No. 19 (Nov. 12, 2020), *unreviewed*, Notice (Nov. 24, 2020).

On January 27, 2021, Neodron and the remaining respondents (Amazon, Apple, LG, Microsoft, Motorola, Samsung, and Sony) filed a joint motion to terminate this investigation as to the remaining respondents based on settlements between Neodron and each remaining respondent. On February 8, 2021, OUII filed a statement in support of the motion.

On February 19, 2021, the ALJ issued Order No. 22, the subject ID, which granted Neodron’s motion. The ID found that the motion complies with 19 CFR 210.21(b) and that no extraordinary circumstances prevent denying the motion. The ID also finds that there is no evidence indicating that terminating this investigation based on the various settlement agreements would be contrary to the public interest. No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID. The investigation is hereby terminated in its entirety.

The Commission vote for this determination took place on March 15, 2021.

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: March 15, 2021.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2021–05638 Filed 3–17–21; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–638 and 731–TA–1473 (Final)]

Corrosion Inhibitors From China

Determinations

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission

¹ The record is defined in § 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR 207.2(f)).

(“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that an industry in the United States is materially injured by reason of imports of corrosion inhibitors from China, provided for in subheading 2933.99.82 of the Harmonized Tariff Schedule of the United States, that have been found by the U.S. Department of Commerce (“Commerce”) to be sold in the United States at less than fair value (“LTFV”), and to be subsidized by the government of China.

Background

The Commission instituted these investigations effective February 5, 2020, following receipt of petitions filed with the Commission and Commerce by Wincom Incorporated, Blue Ash, Ohio. The final phase of the investigations was scheduled by the Commission following notification of a preliminary determinations by Commerce that imports of corrosion inhibitors from China were subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)) and sold at LTFV within the meaning of 733(b) of the Act (19 U.S.C. 1673b(b)). 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** on October 6, 2020 (85 FR 63139). In light of the restrictions on access to the Commission building due to the COVID–19 pandemic, the Commission conducted its hearing through written testimony and video conference on January 21, 2021. All persons who requested the opportunity were permitted to participate.

The Commission made these determinations pursuant to §§ 705(b) and 735(b) of the Act (19 U.S.C. 1671d(b) and 19 U.S.C. 1673d(b)). It completed and filed its determinations in these investigations on March 12, 2021. The views of the Commission are contained in USITC Publication number 5169 (March 2021), entitled *Corrosion Inhibitors from China: Investigation Nos. 701–TA–638 and 731–TA–1473 (Final)*.

By order of the Commission.

Issued: March 12, 2021.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2021–05668 Filed 3–17–21; 8:45 am]

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