DEPARTMENT OF THE INTERIOR

National Park Service

[Investigation No. 337–TA–1248]

Certain Cellular Communications Infrastructure Systems, Components Thereof, and Products Containing Same; Commission Determination Not To Review an Initial Determination Terminating the Investigation in Its Entirety Based on Settlement; Termination of Investigation


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. 6) of the presiding administrative law judge (“ALJ”), terminating the investigation in its entirety based on settlement. This investigation is terminated.


SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on February 22, 2021, based on a complaint filed on behalf of Ericsson Inc. of Plano, Texas and Telefonaktiebolaget LM Ericsson of Sweden (collectively, “Ericsson”). 86 FR 10596 (Feb. 22, 2021). The complaint, as amended, alleged 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, or the sale within the United States after importation of certain cellular communications infrastructure systems, components thereof, and products containing same by reason of infringement of certain claims of U.S. Patent Nos. 9,037,166; 9,107,082; 9,509,605; and 9,692,682. Id. The complaint also alleged that an industry in the United States exists as required by section 337. Id. The Commission’s notice of investigation named as respondents Samsung Electronics Co. Ltd. of Republic of Korea and Samsung Electronics America, Inc. of Ridgefield Park, New Jersey (collectively, “Samsung”). Id. The Office of Unfair Import Investigations is not participating in this investigation.

On July 13, 2021, Ericsson and Samsung jointly moved pursuant to 19 CFR 210.21(a)(2) and (b) to terminate the investigation based on a settlement agreement (“the Agreement”). The motion attached public and confidential versions of the Agreement.

On July 22, 2021, the ALJ issued Order No. 6, the subject ID, which granted the motion. The ID found that the motion complied with the Commission’s Rules and that there are no extraordinary circumstances that warrant denying the motion. The ID also found that there is no evidence indicating that terminating this investigation would be contrary to the public interest. No petitions for review of the ID were received.

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 August 10, 2021.


By order of the Commission.
INTERNATIONAL TRADE COMMISSION
[Investigation No. 731–TA–1526 (Final)]

Silicon Metal From Malaysia;
Determination

On the basis of the record 1 developed in the subject investigation, the United States International Trade Commission ("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 silicon metal, provided for in subheadings 2804.69.10 and 2804.69.50 of the Harmonized Tariff Schedule of the United States, from Malaysia, 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").

Background

The Commission instituted the investigations effective June 30, 2020, following receipt of petitions filed with the Commission and Commerce by Globe Specialty Metal, Inc., Beverly, Ohio and Mississippi Silicon, LLC, Burnsville, Minnesota. The final phase of the investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of silicon metal from Kazakhstan were subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)) and that imports of silicon metal from Bosnia and Herzegovina and Iceland were being sold at LTFV within the meaning of section 733(a) of the Act (19 U.S.C. 1673d(a)), notice of the supplemental scheduling of the final phase of the Commission’s antidumping duty investigation with respect to Malaysia 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 June 30, 2021 (86 FR 34796).

The Commission made this determination pursuant to § 735(b) of the Act (19 U.S.C. 1675d(b)). It completed and filed its determination in this investigation on August 9, 2021. The views of the Commission are contained in USITC Publication 5220 (August 2021), entitled Silicon Metal From Malaysia: Investigation No. 731–TA–1526 (Final).

By order of the Commission. Issued: August 9, 2021.

Lisa Barton,
Secretary to the Commission.

FOR FURTHER INFORMATION CONTACT:

SUPPLEMENTARY INFORMATION:
(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

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

2 86 FR 33224, June 24, 2021.