

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN CARBON AND ALLOY STEEL
PRODUCTS**

Investigation No. 337-TA-1002

**NOTICE OF COMMISSION DETERMINATION TO EXTEND THE DEADLINE FOR
DETERMINING WHETHER TO REVIEW AN INITIAL DETERMINATION
TERMINATING COMPLAINANT’S FALSE DESIGNATION OF ORIGIN CLAIM**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to extend to February 27, 2017, the deadline for determining whether to review an initial determination (“ID”) (Order No. 46) of the presiding administrative law judge (“ALJ”) terminating Complainant’s false designation of origin claim.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, 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, D.C. 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 based on a complaint filed by United States Steel Corporation of Pittsburgh, Pennsylvania (“U.S. Steel”), alleging a violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337. *See* 81 FR 35381 (June 2, 2016). The complaint alleges violations of section 337 based upon the importation into the United States, or in the sale of certain carbon and alloy steel products by reason of: (1) a conspiracy to fix prices and control output and export volumes, the threat or effect of which is to restrain or monopolize trade and commerce in the United States; (2) misappropriation and use of trade secrets, the threat or effect of which is to destroy or substantially injure an industry in the United States; and (3) false designation of origin or manufacturer, the threat or effect of which is to destroy or substantially injure an industry in the United States. *Id.* The notice of investigation identified forty (40) respondents that are Chinese steel manufacturers or distributors, as well as some of their Hong Kong and United States affiliates. *Id.* Twenty-two (22) respondents have been found in default pursuant to Commission

Rule 210.16(a)(1) (19 CFR § 210.16(a)(1)). *See* Order No. 32, Commission Decision Not to Review, Oct. 14, 2016; Order No. 33, Commission Decision Not to Review, Oct. 18, 2016; Order No. 37, Commission Decision Not to Review, Nov. 18, 2016. In addition, the Office of Unfair Import Investigations is a party in this investigation. *Id.*

On January 11, 2017, the ALJ issued, *sua sponte*, an initial determination (Order No. 46) terminating U.S. Steel's false designation of origin claim under section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a)(1) pursuant to 19 C.F.R. § 210.21 and, in the alternative, 19 C.F.R. § 210.18. On January 23, 2017, U.S. Steel and the Commission's Investigative Attorney filed petitions for review of the ID. On January 30, 2017, the participating respondents filed a joint response to the petitions for review.

The Commission has determined to extend the deadline for determining whether to review the ID to February 27, 2017.

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.



Lisa R. Barton
Secretary to the Commission

Issued: February 8, 2017