

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN PASSENGER VEHICLE
AUTOMOTIVE WHEELS**

Investigation No. 337-TA-1006

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO SEVERAL
DESIGN PATENTS AND TRADEMARKS BASED ON PARTIAL WITHDRAWAL OF
THE COMPLAINT**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (“ID”) (Order No. 21) of the presiding administrative law judge (“ALJ”), terminating the above-captioned investigation as to the following U.S. Design Patent Nos. and U.S. trademark registrations based on partial withdrawal of the complaint: D542,211; D582,330; D569,776; D570,760; D544,823; D618,150; D532,733; D638,772; 3,224,584; 3,039,265; 2,654,240; 2,699,216; 2,716,842; 2,837,833; and 2,529,332 (collectively, “the designated design patents and trademarks”). .

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, D.C. 20436, telephone (202) 708-2310. 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, S.W., 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 on June 17, 2016, based on a complaint filed on behalf of Daimler AG of Stuttgart, Germany. 81 FR 39711-12. The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, by reason of infringement of numerous U.S. design patents and U.S. registered trademarks including the designated design patents and trademark registrations. The complaint further alleges that a domestic industry exists. The Commission’s notice of investigation named several respondents. The Office of Unfair Import Investigations is also a party to the

investigation. *Id.*

On December 2, 2016, the complainant moved to terminate the investigation as to the designated design patents and trademarks based on withdrawal of the allegations in the complaint with respect to these patents and trademarks. No party opposed the motion.

The ALJ issued the subject ID on December 15, 2016, granting the motion for termination as to the designated design patents and trademarks. He found that the motion for partial termination satisfied Commission Rule 210.21(a)(1) and that there are no extraordinary circumstances that warrant denying the motion. No petitions for review were filed.

The Commission has determined not to review the 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.

A handwritten signature in black ink, appearing to read "Lisa R. Barton", written in a cursive style.

Lisa R. Barton
Secretary to the Commission

Issued: January 6, 2017