

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN REPLACEMENT AUTOMOTIVE
SERVICE AND COLLISION PARTS AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1160

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION ENTERING SUMMARY DETERMINATION THAT THE
DOMESTIC INDUSTRY REQUIREMENT IS SATISFIED**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (the “Commission”) has determined not to review an initial determination (“ID”) (Order No. 26) granting complainants’ unopposed motion for summary determination that complainants satisfy both the technical and economic prongs of the domestic industry requirement.

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 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, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<https://www.usitc.gov>). The public record for this investigation may be viewed on the Commission’s Electronic Docket Information System (“EDIS”) (<https://edis.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: On June 17, 2019, the Commission instituted the above-referenced investigation based on a complaint filed by Hyundai Motor America, Inc. of Fountain Valley, California and Hyundai Motor Company of Seoul, Republic of Korea (collectively, “Hyundai”). 84 FR 267030-04 (June 7, 2019). The complaint alleges a violation of 19 U.S.C. 1337, as amended (“Section 337”), in the importation, sale for importation, or sale in the United States after importation of certain gray market Hyundai parts in the categories of belts, body exterior and interior parts, brakes, wheel hubs, cooling system parts, drivetrain parts, electrical parts, emission parts, engine parts, exhaust parts, fuel/air pumps, oil/air/cabin air filters and parts, heat and A/C parts, ignition parts, steering parts, suspension parts, transmission parts, wheels and parts, wiper and washer parts, and accessories that infringe one or more of Hyundai’s

U.S. Trademark Registration Nos. 1,104,727; 3,991,863; 1,569,538; and 4,065,195. *Id.* at 26704. The complaint further alleges that a domestic industry exists in the United States. *Id.*

The Commission's notice of investigation named Direct Technologies International, Inc. ("DTI") of North Miami Beach, Florida; AJ Auto Spare Parts FZE ("AJ Auto") and John Auto Spare Parts Co. ("John Auto") of Dubai, United Arab Emirates; and Cuong Anh Co. ("Cuong Anh") of Ninh Binh Province, Vietnam as respondents. The Office of Unfair Import Investigations was not named as a party to this investigation.

On November 25, 2019, the Commission determined not to review an ID (Order No. 17) granting Hyundai's unopposed motion to find respondents AJ Auto, John Auto, and Cuong Anh in default. Order No. 17 (Nov. 5, 2019), *not rev'd*, Comm'n Notice (Nov. 25, 2019). As a result, DTI is presently the only respondent still active in this investigation.

On January 16, 2020, the presiding administrative law judge entered the subject ID (Order No. 26), pursuant to Commission Rule 210.18 (19 CFR 210.18), granting Hyundai's unopposed motion for summary determination that it satisfies both the technical and economic prongs of Section 337's domestic industry requirement. DTI did not oppose Hyundai's motion or file a petition for review of the subject ID.

The Commission has determined not to review the subject 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.



Lisa R. Barton
Secretary to the Commission

Issued: February 18, 2020