

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN SHAKER SCREENS FOR
DRILLING FLUIDS, COMPONENTS
THEREOF, AND RELATED
MARKETING MATERIALS**

Inv. No. 337-TA-1184

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO THE
BRIGHTWAY RESPONDENTS BASED ON CONSENT ORDER; ISSUANCE OF
CONSENT ORDER**

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. 8) issued by the presiding administrative law judge (“ALJ”) granting a motion to terminate the investigation with respect to respondents Xi’an Brightway Energy Equipment Co., Ltd. of Xi’an City, China and Brightway Solids Control Co., Ltd. of Houston, Texas (the “Brightway Respondents”) based on the entry of a stipulated consent order. The Commission has determined to issue a consent order.

FOR FURTHER INFORMATION CONTACT: Benjamin S. Richards, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436, telephone (202) 708-5453. 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 (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <http://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 November 21, 2019, based on a complaint, as amended, filed by M-I L.L.C. of Houston, Texas. 84 FR 64339 (Nov. 21, 2019). The amended complaint alleges 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, and the sale within the United States after importation of certain shaker screens for drilling fluids, components thereof, and related marketing materials by reason of infringement of: (1) certain claims of U.S. Patent Nos. 7,210,582; 7,810,649; and 8,925,735; and

(2) U.S. Trademark Registration Nos. 2,151,736 and 2,744,891. *Id.* The Commission's notice of investigation named six respondents, including the Brightway Respondents. *Id.* at 64339–40. The Office of Unfair Import Investigations is participating in this investigation. *Id.* at 64340.

On January 8, 2020, the Brightway Respondents moved to terminate the investigation with respect to the Brightway Respondents based upon their stipulation to entry of a consent order. The Brightway Respondents provided a consent order stipulation and a proposed consent order with their motion. No party opposed the motion.

On January 17, 2020, the ALJ issued the subject ID, granting the motion and terminating the investigation based on the entry of a consent order. The ALJ found that the consent order stipulation and proposed consent order complied with Commission Rule 210.21(c)(3) and (4) (19 CFR 210.21(c)(3) and (4)). The ALJ also found that any effect the proposed consent order may have on the public interest did not preclude issuance of the order. No petitions for review of the ID were received.

The Commission has determined not to review the subject ID and has determined to issue a consent order.

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', with a stylized flourish at the end.

Lisa R. Barton
Secretary to the Commission

Issued: February 6, 2020