

**UNITED STATES INTERNATIONAL TRADE COMMISSION**  
**Washington, D.C.**

**In the Matter of**

**CERTAIN PICK-UP TRUCK FOLDING  
BED COVER SYSTEMS AND  
COMPONENTS THEREOF**

**Investigation No. 337-TA-1188**

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION GRANTING A MOTION TO AMEND THE COMPLAINT AND  
NOTICE OF INVESTIGATION**

**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. 6) granting complainants’ motion to amend the complaint and notice of investigation (“NOI”) to add an asserted claim of U.S. Patent No. 8,061,758 and to supply corrected information concerning two named respondents.

**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 may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.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 December 30, 2019, the Commission instituted the present investigation on a complaint and supplements thereto filed by Extang Corporation and Laurmark Enterprises, Inc. (d/b/a Bak Industries) (collectively, “complainants”), both of Ann Arbor, Michigan. 84 FR 71975-76 (Dec. 30, 2019). The complaint, as supplemented, alleges a violation of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“Section 337”), in the importation, sale for importation, and sale in the United States after importation of certain pick-up truck folding bed cover systems and components thereof by reason of infringement of certain claims of U.S. Patent No. 7,484,788 and U.S. Patent No. 8,061,758 (“the 758 patent”). *Id.* The complaint further alleges that an industry in the United States exists as required by Section 337. *Id.*

The notice of investigation names the following parties as respondents: Tyger Auto Inc. of Rialto, California; Cixi City Liyuan Auto Parts Co. of Zhejiang Province, China; Hong Car Start Industries Co., of Zhijian Province, China (collectively, “respondents”). *Id.* The notice of investigation also names the Office of Unfair Import Investigations (“OUII”) as a party. *Id.*

On March 18, 2020, the presiding administrative law judge (“ALJ”) issued the subject ID (Order No. 6), granting complainants’ motion to amend the complaint and notice of investigation in order to supplement and clarify the allegations of the original complaint regarding the ’758 patent. Order No. 6 at 1.

Order No. 6 amends the complaint and NOI as follows:

- adds claim 4 of the ’758 patent as an asserted claim. *Id.* at 2.
- corrects the name of respondent “Hong Kong Car Start” to “Hong Kong Car Start Industrial Co., Ltd.” (“Car Start”) and correctly identifies Car Start’s contact information. *Id.* at 3.
- provides zip code information for respondent Cixi City Liyuan Auto Parts Co. *Id.*

Order No. 6 notes that respondents did not oppose complainants’ motion. *Id.* at 1-2. Order No. 6 further notes that OUII supported the motion because it serves the public interest by eliminating any confusion as to the parties involved and does not prejudice the public interest. *Id.* Order No. 6 also finds that the motion complies with 19 CFR 210.14(b) regarding amendments to the complaint and notices of investigation.

No party filed a petition to review Order No. 6.

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: April 17, 2020