

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

**In the Matter of**

**CERTAIN SYNTHETIC ROOFING  
UNDERLAYMENT PRODUCTS AND  
COMPONENTS THEREOF**

**Investigation No. 337-TA-1202**

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION TERMINATING THE INVESTIGATION AS TO RESPONDENT  
SYSTEMS COMPONENTS CORPORATION BASED ON SETTLEMENT**

**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. 18) of the presiding administrative law judge (“ALJ”) granting complainant’s and respondent Systems Components Corporation’s (“SCC”) joint motion to terminate the above-captioned investigation as to SCC based on settlement.

**FOR FURTHER INFORMATION CONTACT:** Richard P. Hadorn, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3179. 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:** The Commission instituted this investigation on June 1, 2020, based on a complaint filed by Kirsch Research and Development, LLC (“Kirsch”) of Simi Valley, California. 85 FR 33198-99 (June 1, 2020). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), based on the importation into the United States, the sale for importation, or the sale within the United States after importation of certain synthetic roofing underlayment products and components thereof by reason of infringement of certain claims of U.S. Patent No. 8,765,251. *Id.* at 33198. The complaint further alleges that a domestic industry exists. *Id.* The notice of investigation names eleven respondents: Atlas Roofing Corporation of Atlanta, Georgia; CertainTeed Corporation of Malvern, Pennsylvania; Dupont De Nemours, Inc. and E. I. Du Pont De Nemours and Company,

both of Wilmington, Delaware; Epilay, Inc. of Carson, California; GAF Corporation of Parsippany, New Jersey; Owens Corning, Owens Corning Roofing & Asphalt, LLC, and InterWrap Corp., each of Toledo, Ohio; SCC of Issaquah, Washington; and TAMKO Building Products, LLC of Joplin, Missouri. *Id.* The Office of Unfair Import Investigations is not named as a party. *Id.*

On August 4, 2020, the Commission determined to amend the complaint and notice of investigation by substituting CertainTeed LLC for respondent CertainTeed Corporation and GAF Materials LLC for respondent GAF Corporation. Order No. 6 (July 14, 2020), *unreviewed by* 85 FR 47988 (Aug. 7, 2020). That same day, the Commission also determined to terminate the investigation as to CertainTeed Corporation and GAF Corporation. Order No. 7 (July 14, 2020), *unreviewed by* Comm'n Notice (Aug. 4, 2020).

On October 6, 2020, Kirsch and respondent SCC jointly moved to terminate the investigation as to SCC based on settlement under Commission Rule 210.21(b) (19 CFR 210.21(b)). No other party responded to the motion.

On October 22, 2020, the ALJ issued the subject ID granting the joint motion. The ID finds that the motion complies with “the requirements of Commission Rules 210.21(a)(1) and 210.21(b)(1)” (19 CFR 210.21(a)(1), (b)(1)) and that terminating SCC from the investigation “is in the public interest and will conserve public and private resources.” ID at 3. No petitions for review of the subject ID were filed.

The Commission has determined not to review the subject ID. SCC is hereby terminated from the investigation.

The Commission vote for this determination took place on November 18, 2020.

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: November 18, 2020