NOTICE OF A COMMISSION DETERMINATION TO EXTEND THE DUE DATE FOR DETERMINING WHETHER TO REVIEW THE FINAL INITIAL DETERMINATION


ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined to extend the due date for determining whether to review the final initial determination (“ID”) of the presiding administrative law judge (“ALJ”), in this investigation. The due date for determining whether to review the final ID is now March 9, 2022.

FOR FURTHER INFORMATION CONTACT: Ronald A. Traud, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 204-3427. 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. 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 on (202) 205-1810.

SUPPLEMENTARY INFORMATION: On August 11, 2020, the Commission instituted this investigation based on a complaint filed on behalf of Tama Group of Israel and Tama USA Inc. of Dubuque, Iowa. 85 FR 48561-62 (Aug. 11, 2020). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain wrapping material and methods for use in agricultural applications by reason of infringement of one or more of claims 1, 2, 4-16, 18, 28, 32, 33, and 35-45 of U.S. Patent No. 6,787,209. Id. The Commission’s notice of investigation named as respondents Zhejiang Yajia Cotton Picker Parts Co., Ltd. of Zhuji City, China; Southern Marketing Affiliates, Inc. of Jonesboro, Arkansas; Hai’an Xin Fu Yuan of Agricultural, Science, and Technology Co., Ltd. of Nantong, China; and Gosun Business Development Co. Ltd. of Grande Prairie, Canada.
Id. at 48561. The Office of Unfair Import Investigations is not participating in this investigation.

On December 10, 2021, the ALJ issued the final ID, which found no violation of section 337.

On December 27, 2021, the complainants and the respondents filed petitions for review of the ID. On January 4, 2022, the parties filed responses to the other party’s petitions.

The Commission has determined to extend the due date for determining whether to review the final initial determination to March 9, 2022.

The Commission vote for this determination took place on February 4, 2022.


By order of the Commission.

Lisa R. Barton
Secretary to the Commission

Issued: February 4, 2022