

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN COMPOSITE BASEBALL
AND SOFTBALL BATS AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1283

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN
INITIAL DETERMINATION EXTENDING THE TARGET DATE**

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. 15) issued by the presiding administrative law judge (“ALJ”) extending the target date for completion of this investigation to July 3, 2023.

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 system (“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, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on November 2, 2021, based on a complaint filed and supplemented by Easton Diamond Sports, LLC of Thousand Oaks, California (“Easton”). 86 FR 60468-469 (Nov. 2, 2021). The complaint alleges a violation of section 337 of the Tariff Act, as amended, 19 U.S.C. 1337, based on the importation, sale for importation, or sale in the United States after importation of certain composite baseball and softball bats and components thereof by reason of infringement of one or more asserted claims of U.S. Patent No. 6,997,826. *Id.* The complaint further alleges the existence of a domestic industry. *Id.* The Commission’s notice of investigation names Juno Athletics LLC of Aventura, Florida; Monsta Athletics LLC of Calimesa, California; and Proton Sports Inc. of Scottsdale, Arizona (“Proton”) as respondents. *Id.* at 60469. The Office of Unfair Import Investigations is not participating as a party to this investigation. *Id.*

On January 25, 2022, the Commission adopted an ID (Order No. 8) granting Easton's unopposed motion for leave to amend the complaint and notice of investigation to add TianChang Zhengmu Aluminum Technology Co., Ltd. of Tianching City, China ("TZA") as a respondent. Order No. 8 (Dec. 28, 2021), *unreviewed by Comm'n Notice* (Jan. 25, 2022).

On February 16, 2022, the Commission adopted an ID (Order No. 11) terminating TZA based on withdrawal of the complaint. Order No. 11 (Jan. 28, 2022), *unreviewed by Comm'n Notice* (Feb. 16, 2022).

On April 12, 2022, the Commission determined not to review, and thus adopted, an initial determination finding respondent Proton in default. Order No. 13 (March 30, 2022), *unreviewed by Comm'n Notice* (April 12, 2022).

On May 16, 2022, the presiding ALJ issued the subject ID (Order No. 15) extending the target date for completion of this investigation to July 3, 2023. Order No. 15 (May 16, 2022).

No party filed a petition for review of the subject ID.

Upon review of the subject ID, the Commission has determined not to review, and thereby adopts, the subject ID. The target date is hereby extended to July 3, 2023.

The Commission voted to approve this determination on June 7, 2022.

The authority for the Commission's determinations 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: June 7, 2022