

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

**In the Matter of**

**CERTAIN CENTRIFUGE UTILITY  
PLATFORM AND FALLING FILM  
EVAPORATOR SYSTEMS AND  
COMPONENTS THEREOF**

**Investigation No. 337-TA-1311**

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION TERMINATING THE INVESTIGATION AS TO RESPONDENT  
MOUNTAIN PURE, LLC**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined not to review an initial determination (“ID”) (Order No. 7) of the presiding administrative law judge (“ALJ”), terminating the investigation as to respondent Mountain Pure, LLC based on withdrawal of the complaint.

**FOR FURTHER INFORMATION CONTACT:** Benjamin S. Richards, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 708-5453. 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 on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on May 4, 2022. 87 FR 26372 (May 4, 2022). The complaint, as supplemented, 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, or the sale within the United States after importation of certain centrifuge utility platform and falling film evaporator systems and components thereof by reason of infringement of claims 1, 10, and 14 of U.S. Patent No. 10,814,338; claims 1, 10, and 18 of U.S. Patent No. 11,014,098; and claims 1, 9, and 19 of U.S. Patent No. 10,899,728. *Id.* The complaint further alleges that a domestic industry exists. *Id.* The Commission’s notice of investigation named fifteen respondents, including Mountain Pure, LLC of Vineyard, Utah

(“Mountain Pure”). *Id.* at 26373. The Office of Unfair Import Investigations is also participating in the investigation. *Id.*

On May 25, 2022, the ALJ issued Order No. 7, granting a motion by complainant Apeks, LLC to terminate the investigation as to Mountain Pure based on the withdrawal of the allegations in the complaint as to Mountain Pure. The ALJ found that the motion included the required statement that “[t]here are no agreements, written or oral, express or implied between the parties concerning the subject of the investigation,” and found that no extraordinary circumstances exist that would weigh against termination of the investigation as to Mountain Pure. No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID.

Mountain Pure is terminated from the investigation.

The Commission vote for this determination took place on June 21, 2022.

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).

While temporary remote operating procedures are in place in response to COVID-19, the Office of the Secretary is not able to serve parties that have not retained counsel or otherwise provided a point of contact for electronic service. Accordingly, pursuant to Commission Rules 201.16(a) and 210.7(a)(1) (19 CFR 201.16(a), 210.7(a)(1)), the Commission orders that the Complainant(s) complete service for any party/parties without a method of electronic service noted on the attached Certificate of Service and shall file proof of service on the Electronic Document Information System (EDIS).]

By order of the Commission.



Lisa R. Barton  
Secretary to the Commission

Issued: June 21, 2022