

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C. 20346

In the Matter of

**CERTAIN REFRIGERATORS
AND COMPONENTS THEREOF**

Investigation No. 337-TA-632

**NOTICE OF COMMISSION DECISION 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 has determined not to review an initial determination ("ID") issued by the presiding administrative law judge ("ALJ") in the above-captioned investigation extending the target date to February 9, 2010.

FOR FURTHER INFORMATION CONTACT: Megan M. Valentine Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2301. Copies of the ALJ's IDs and all other non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.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 February 26, 2008, the Commission instituted this investigation, based on a complaint filed by Whirlpool Patents Company of St. Joseph, Michigan; Whirlpool Manufacturing Corporation of St. Joseph, Michigan; Whirlpool Corporation of Benton Harbor, Michigan, and Maytag Corporation of Benton Harbor, Michigan (collectively, "Whirlpool"). 73 *Fed. Reg.* 10285 (Feb. 26, 2009). The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain refrigerators and components thereof that infringe certain claims of U.S. Patent Nos. 6,082,130; 6,810,680; 6,915,644; 6,971,730; and 7,240,980. Whirlpool named LG Electronics, Inc.; LG Electronics, USA, Inc.; and LG Electronics Monterrey Mexico, S.A., De, CV (collectively, "LG") as respondents. The complaint, as supplemented, further alleges that an industry in the

United States exists as required by subsection (a)(2) of section 337 and requested that the Commission issue an exclusion order and cease and desist orders.

On February 26, 2009, the ALJ issued a final ID, in which he found no violation of Section 337. Whirlpool filed a petition for review, and LG filed a contingent petition for review. Whirlpool, LG and OUII filed responses. On April 27, 2009, the Commission determined to review the final ID in its entirety. 74 *Fed. Reg.* 20345-6 (May 1, 2009). On July 8, 2009, the Commission issued a Notice indicating its decision to modify certain claim terms, to remand the investigation to the ALJ, and to extend the target date by one month to September 7, 2009. In an accompanying Order, the Commission instructed the ALJ to issue an ID within 30 days of the Order extending the target date as he deems necessary to accommodate the remand proceedings.

On July 20, 2009, the ALJ issued the subject ID extending the target date to February 9, 2010. No petitions for review of this ID were filed.

The Commission has determined not to review the 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 section 210.42-46 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.42-46).

By order of the Commission.

/s/

Marilyn R. Abbott
Secretary to the Commission

Issued: August 7, 2009