

**UNITED STATES INTERNATIONAL TRADE COMMISSION**  
**Washington, DC 20436**

**In the Matter of**

**CERTAIN DEVICES HAVING  
ELASTOMERIC GEL AND  
COMPONENTS THEREOF**

**Investigation No. 337-TA-732**

**NOTICE OF A COMMISSION DETERMINATION NOT TO  
REVIEW AN INITIAL DETERMINATION TERMINATING THE INVESTIGATION AS  
TO THREE RESPONDENTS ON THE BASIS OF CONSENT ORDER STIPULATIONS  
AND CONSENT ORDERS; ISSUANCE OF CONSENT ORDERS**

**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”) in the above-captioned investigation terminating the investigation as to three respondents on the basis of consent order stipulations and consent orders.

**FOR FURTHER INFORMATION CONTACT:** Mark B. Rees, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW, Washington, DC 20436, telephone (202) 205-3116. Copies of 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, SW, Washington, DC 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:** The Commission instituted this investigation on August 4, 2010, based on the complaint, as supplemented, of Interactive Life Forms, LLC of Austin, Texas (“ILF”). 75 *Fed. Reg.* 47027 (Aug. 4, 2010). The complaint alleges 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 devices having elastomeric gel and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 5,782,818 and 5,807,360. The complaint originally named 26 respondents, including TEG, LLC of Atlanta, Georgia (“TEG”), and was later amended, as was the notice of investigation, to add two respondents, Easybuy Inc. d/b/a Blush Novelties of Flushing, New York (“Easybuy”) and Spencer Gifts, LLC of Egg Harbor Township, New Jersey (“Spencer”), and to correct TEG’s address and the identification of another respondent. 75 *Fed. Reg.* 64742 (Oct. 20, 2010). To date, one respondent has been defaulted and 20 others have been terminated from the investigation – 19 based on consent order stipulations and consent orders and one based on a settlement agreement.

On November 15 and 16, 2010, ILF filed motions to terminate the investigation as to Spencer, TEG, and Easybuy, respectively, based on consent order stipulations and consent orders. The Commission investigative attorney filed a combined response in support of each motion on November 16, 2010; no objections were filed.

The ALJ issued the subject ID on December 1, 2010, in which he finds that each consent order stipulation complies with Commission rule 210.21 and that each consent order closely parallels the corresponding stipulation. He also finds that termination as to these parties will not be contrary to the public health and welfare, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers, and further that the public interest favors the proposed resolution. He therefore granted each motion. No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and Commission Rules 210.21, 210.42 (19 C.F.R. §§ 210.21, 210.42).

By order of the Commission.

/s/  
Marilyn R. Abbott  
Secretary to the Commission

Issued: December 17, 2010