

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, D.C.

**In the Matter of**

**CERTAIN SINTERED RARE EARTH  
MAGNETS, METHODS OF MAKING SAME  
AND PRODUCTS CONTAINING SAME**

**Investigation No. 337-TA-855**

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW INITIAL  
DETERMINATIONS GRANTING JOINT MOTIONS TO TERMINATE THE  
INVESTIGATION AS TO RESPONDENTS SKULLCANDY INC.; DURA MAGNETICS,  
INC.; AND INTEGRATED MAGNETICS, INC. BASED UPON CONSENT ORDER  
STIPULATIONS AND SETTLEMENT AGREEMENTS; 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 the presiding administrative law judge's ("ALJ") initial determinations ("IDs") (Order Nos. 36, 37, and 40) granting joint motions to terminate the investigation as to Respondents Skullcandy, Inc. of San Clemente, California ("Skullcandy"); Dura Magnetics, Inc. of Sylvania, Ohio ("Dura Magnetics"); and Integrated Magnetics, Inc. of Culver City, California ("Integrated Magnetics") based upon the entry of consent orders and settlement agreements.

**FOR FURTHER INFORMATION CONTACT:** Panyin A. Hughes, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3042. 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, 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:** The Commission instituted this investigation on September 21, 2012, based on a complaint filed by Hitachi Metals, Ltd. of Tokyo, Japan and Hitachi Metals North Carolina, Ltd. of China Grove, North Carolina (collectively, "Hitachi

Metals”). 77 *Fed. Reg.* 58578 (Sept. 21, 2012). The complaint alleged 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, and the sale within the United States after importation of certain sintered rare earth magnets, methods of making same and products containing same by reason of infringement of certain claims of United States Patent Nos. 6,461,565; 6,491,765; 6,527,874; and 6,537,385. The notice of investigation named several entities as respondents, including Skullcandy, Dura Magnetics, and Integrated Magnetics.

On November 23, 2012, Hitachi Metals and Dura Magnetics filed a joint motion to terminate the investigation as to Dura Magnetics based upon the entry of a consent order and a settlement agreement. On December 3, 2012, the Commission investigative attorney (“IA”) filed a response in support of the motion. No other responses to the motion were filed.

On November 28, 2012, Hitachi Metals and Skullcandy filed a joint motion to terminate the investigation as to Skullcandy based upon the entry of a consent order and a settlement agreement. On December 10, 2012, the IA filed a response in support of the motion. No other responses to the motion were filed.

On December 6, 2012, Hitachi Metals and Integrated Magnetics filed a joint motion to terminate the investigation as to Integrated Magnetics based upon the entry of a consent order and a settlement agreement. On December 17, 2012, the IA filed a response in support of the motion. No other responses to the motion were filed.

On December 18, 2012, the ALJ issued the subject IDs, granting the joint motions to terminate Skullcandy, Dura Magnetics, and Integrated Magnetics from the investigation. The ALJ found that the consent order stipulations comply with the requirements of Commission Rule 210.21(c)(3) (19 C.F.R. § 210.21(c)(3)) and that the settlement agreements comply with the requirements of Commission Rule 210.21(b) (19 C.F.R. § 210.21(b)). The ALJ also concluded that terminating Skullcandy, Dura Magnetics, and Integrated Magnetics from the investigation would not be contrary to the public interest. None of the parties petitioned for review of the IDs.

The Commission has determined not to review the IDs and to issue consent orders.

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 of the Commission’s Rules of Practice and Procedure (19 C.F.R. § 210.42).

By order of the Commission.



Lisa R. Barton  
Acting Secretary to the Commission

Issued: January 18, 2013