

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN WINDSHIELD WIPER
DEVICES AND COMPONENTS
THEREOF**

Inv. No. 337-TA-881

**NOTICE OF COMMISSION DETERMINATION TO EXTEND THE TIME FOR
DETERMINING WHETHER TO REVIEW THE FINAL INITIAL DETERMINATION**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to extend until July 9, 2014, the time for determining whether to review the final initial determination in the above-captioned investigation.

FOR FURTHER INFORMATION: Megan M. Valentine, 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 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 (<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 June 11, 2013, based on a complaint filed by complainants Federal-Mogul Corporation of Southfield, Michigan and Federal-Mogul S.A. of Aubange, Belgium (collectively "Federal-Mogul"). 78 *Fed. Reg.* 35050-51 (June 11, 2013). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 ("section 337") in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain windshield wiper devices and components thereof by reason of infringement of claims 1-14 of U.S. Patent No. 8,347,449 ("the '449 patent"). The complaint further alleges the existence of a domestic industry. The Commission's Notice of Investigation named as respondents Trico

Corporation of Rochester Hills, Michigan (“Trico Corp”); Trico Products of Brownsville, Texas (“Trico Products”); and Trico Components, SA de CV of Matamoros, Mexico (collectively “Trico”). 78 Fed. Reg. at 35050. The Office of Unfair Import Investigations was also named as a party. *Id.* The Notice of Investigation was later amended to correct the names of Trico Corp. and Trico Products to Trico Products Corporation of New York. 79 Fed. Reg. 9922-923 (Feb. 21, 2014); *see* Order No. 27 (Jan. 22, 2014).

On May 8, 2014, the ALJ issued his final ID, finding a violation of section 337 with respect to claims 1 and 5 of the ’449 patent and finding no violation of section 337 with respect to claims 2-4 and 6-14 of the ’449 patent. On May 21, 2014, Trico filed a petition for review concerning, *inter alia*, the final ID’s finding of violation with respect to claims 1 and 5 of the ’449 patent. Also on May 21, 2014, Federal-Mogul and the Commission investigative attorney (“IA”) each filed a petition for review of certain aspects of the final ID concerning the ALJ’s finding of no violation with respect to claims 2-4 and 6-14 of the ’449 patent. On May 29, 2014, Federal-Mogul filed a response to Trico’s petition for review. Also on May 29, 2014, Trico filed a combined response to Federal-Mogul’s and the IA’s petitions for review. Further on May 29, 2014, the IA filed a joint response to the private parties’ petitions.

The Commission is extending the date for determining whether to review the final ID by two (2) days, *i.e.*, until July 9, 2014.

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 C.F.R. Part 210).

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: July 7, 2014