

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

**In the Matter of**

**CERTAIN LASER ABRADED DENIM  
GARMENTS**

**Investigation No. 337-TA-930**

**NOTICE OF COMMISSION DECISION NOT TO REVIEW THE  
ADMINISTRATIVE LAW JUDGE'S INITIAL DETERMINATION  
EXTENDING THE TARGET DATE BY APPROXIMATELY THREE MONTHS**

**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 determination ("ID") (Order No. 51) extending the target date for completion of the above-captioned investigation by approximately three months, from June 23, 2016 to September 26, 2016.

**FOR FURTHER INFORMATION CONTACT:** Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2532. 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 TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on September 23, 2014, based on a complaint filed by RevoLaze, LLC and TechnoLines, LLC, both of Westlake, Ohio. *79 Fed. Reg.* 56828 (Sept. 23, 2014). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended 19 U.S.C. § 1337, by reason of the importation into the United States, the sale for importation, and the sale within the United States after importation of certain laser abraded denim garments. The complaint alleged the infringement of seventy-one claims of six United States patents. The notice of institution named twenty respondents. On January 23, 2015, the ALJ granted the complainants' motion to amend the complaint and notice of investigation to add nine respondents. Order No. 23 at 3-4 (Jan. 23,

2015), not reviewed, Notice at 2 (Feb. 20, 2015). Among the respondents are The Gap, Inc. of San Francisco, California (“the Gap”).

On May 7, 2015, the ALJ granted the Gap’s motion to disqualify the complainants’ counsel on the basis of a conflict of interest. Order No. 43 at 1-2, 13.

On May 14, 2015, the complainants moved to extend the target date by approximately two months in view of the disqualification. The Commission investigative attorney did not oppose the motion. On May 26, 2015, the respondents filed an opposition to the motion.

On May 28, 2015, the ALJ issued the subject ID (Order No. 51), granting the complainants’ motion. The ID explains that the disqualification is “an extreme and disfavored remedy” that “provides undeniable tactical advantages to Respondents” that “may be mitigated in part by the requested target date extension.” Order No. 51 at 2. The ALJ explained, however, that his schedule “cannot precisely accommodate the dates proposed by Complainants.” *Id.* Accordingly, the ALJ ordered a three-month extension of the target date to September 26, 2016, with the final ID to be due on May 26, 2016. *Id.*

No petitions for review of the 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 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: June 9, 2015