

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

**In the Matter of**

**CERTAIN VARIABLE VALVE  
ACTUATION DEVICES AND  
AUTOMOBILES CONTAINING THE  
SAME**

**Investigation No. 337-TA-954**

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION TERMINATING THE INVESTIGATION AS TO  
U.S. PATENT NO. 6,883,492**

**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. 8) terminating the above-captioned investigation as to U.S. Patent No. 6,883,492 ("the '492 patent").

**FOR FURTHER INFORMATION CONTACT:** Clint Gerdine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2310. 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 April 14, 2015, based on an amended complaint filed by Jacobs Vehicle Systems, Inc. of Bloomfield, Connecticut. 80 *Fed. Reg.* 20012 (Apr. 14, 2015). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, by reason of infringement of certain claims of the '492 patent, U.S. Patent No. 5,829,397 ("the '397 patent"), and four other U.S. patents. The complaint further alleged that a domestic industry exists or is in the process of being established. The Commission's Notice of Investigation named several respondents including FCA US LLC of Auburn Hills, Michigan; FCA Mexico, S.A. de C.V. of Sante Fe, Mexico; FCA Melfi S.p.A. of Melfi, Italy; FCA Serbia d.o.o. Kragujevac of Kragujevac, Serbia; and Fiat Chrysler Automobiles N.V. of Slough, United Kingdom. The

Office of Unfair Import Investigations was also named as a party to the investigation. The '397 patent was later terminated from the investigation.

On September 29, 2015, complainant moved for partial termination of the investigation based on withdrawal of its allegations of infringement with respect to the '492 patent. No party opposed the motion.

On October 8, 2015, the ALJ issued the subject ID (Order No. 8) granting complainant's motion and finding that the motion for partial termination satisfies Commission Rule 210.21(a)(1). No party petitioned for review of the ID.

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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', with a stylized flourish at the end.

Lisa R. Barton  
Secretary to the Commission

Issued: October 26, 2015