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 CERTAIN PATENT CLAIMS AND RESPONDENT FIAT CHRYSLER AUTOMOBILES N.V.


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. 13) terminating the above-captioned investigation as to: (1) claims 1, 4, 10, 13, 15-18, 25, and 27-28 of U.S. Patent No. 7,059,282 (“the ’282 patent”); claims 3, 5, 13-16, 18-19, 22, 35-36, 38-44, 46-48, 50, and 54-56 of U.S. Patent No. 8,776,738 (“the ’738 patent”); and claims 1-5, 7, 10, 19-23, and 26-28 of U.S. Patent No. 8,820,276 (“the ’276 patent”); and (2) respondent Fiat Chrysler Automobiles N.V. (“Fiat”) of Slough, United Kingdom.

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.

being established. The Commission’s Notice of Investigation named several respondents including Fiat; 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; and FCA Serbia d.o.o. Kragujevac of Kragujevac, Serbia. The Office of Unfair Import Investigations was also named as a party to the investigation. The ’397 and ’492 patents were later terminated from the investigation.

On November 25, 2015, complainant moved for partial termination of the investigation based on: (1) withdrawal of its allegations of infringement as to the above-identified claims; and (2) withdrawal of all allegations against Fiat. No party opposed the motion.

On November 30, 2015, the ALJ issued the subject ID (Order No. 13) 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.


By order of the Commission.

Lisa R. Barton
Secretary to the Commission

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