

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN BEVERAGE DISPENSING
SYSTEMS AND COMPONENTS THEREOF**

Investigation No. 337-TA-1130

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING CERTAIN PATENT CLAIMS**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (the “Commission”) has determined not to review an initial determination (“ID”) (Order No. 6) granting complainant’s motion to partially terminate the investigation by withdrawing certain patent claims.

FOR FURTHER INFORMATION CONTACT: Carl P. Bretscher, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone 202-205-2382. 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 SW, Washington, DC 20436, telephone 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission’s Electronic Docket Information System (“EDIS”) <https://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal, telephone 202-205-1810.

SUPPLEMENTARY INFORMATION: On September 5, 2018, the Commission instituted this investigation based on a complaint filed by Heineken International B.V. of Amsterdam, The Netherlands; Heineken Supply Chain B.V. of Amsterdam, The Netherlands; and Heineken USA Inc. of White Plains, New York (collectively “Heineken”). 83 FR 45141, 45141-42 (Sept. 5, 2018). The complaint alleged a violation of 19 U.S.C. 1337, as amended, in the importation into the United States, sale for importation, or sale in the United States after importation of certain beverage dispensing systems and components thereof that allegedly infringe one or more of the asserted claims of U.S. Patent No. 7,188,751 (“the ’751 patent”). *Id.* The notice of investigation named Anheuser-Busch InBev SA of Leuven, Belgium; InBev Belgium NV, of Leuven Belgium; and Anheuser-Busch, LLC of St. Louis, Missouri as respondents. *Id.* The Office of Unfair Import Investigation was not named as a party to this investigation. *Id.*

On January 31, 2019, Heineken filed an unopposed motion to partially terminate this investigation based on its withdrawal of claims 2, 4, 5, 6, 8, 9, and 11 of the '751 patent. No response to Heineken's motion was filed.

On February 6, 2019, the presiding administrative law judge issued the subject ID (Order No. 6) finding no extraordinary circumstance or other reason to deny the motion. Accordingly, the ALJ granted Heineken's unopposed motion to partially terminate the investigation by withdrawing claims 2, 4-6, 8, 9, and 11 of the '751 patent. No party filed a petition for review of the subject ID.

The Commission has determined not to review the subject 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 CFR part 210).

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', enclosed within a large, stylized oval flourish.

Lisa R. Barton
Secretary to the Commission

Issued: March 7, 2019