

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN BLOWERS AND
COMPONENTS THEREOF**

**Investigation No. 337-TA-1217
(Enforcement)**

**NOTICE OF COMMISSION DETERMINATION TO EXTEND THE DATE FOR
DECIDING WHETHER TO REVIEW THE ENFORCEMENT INITIAL
DETERMINATION FINDING NO VIOLATION OF THE CONSENT ORDER**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to extend the date for determining whether to review the enforcement initial determination (“ID”) of the presiding administrative law judge (“ALJ”) finding no violation of the consent order from January 28, 2022 to February 11, 2022.

FOR FURTHER INFORMATION CONTACT: Panyin A. Hughes, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, D.C. 20436, telephone (202) 205-3042. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.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: On September 8, 2020, the Commission instituted the original investigation based on a complaint filed by Regal Beloit America, Inc. of Beloit, Wisconsin. 85 FR 55491-92 (Sept. 8, 2020). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain blowers and components thereof by reason of infringement of one or more of claims 1, 2, 7-10, and 15 of U.S. Patent No. 8,079,834. *Id.* at 55492. The Commission’s notice of investigation named as respondents East West Manufacturing, LLC of Atlanta, Georgia, and East West Industries of Binh Duong, Vietnam (collectively, “Respondents”). *Id.* at 55492. The Office of Unfair Import Investigations (“OUII”) did not participate as a party in the original investigation. *Id.*

On November 12, 2020, the Commission terminated the original investigation with respect to Respondents based upon a consent order stipulation and entry of a consent order. 85 FR 73511 (Nov. 18, 2020).

On February 19, 2021, the Commission instituted a formal enforcement proceeding, pursuant to Commission Rule 210.75(a), to determine whether a violation of the consent order issued in the original investigation has occurred and to determine what, if any, enforcement measures are appropriate. 86 FR 10335 (Feb. 19, 2021). The respondents named in the enforcement proceeding are East West Manufacturing, LLC of Atlanta, Georgia, and East West Industries of Binh Duong, Vietnam. *Id.* OUII is also named as a party. *Id.*

On December 14, 2021, the ALJ issued the subject enforcement ID finding no violation of the consent order. On December 16, 2022, the parties filed a joint motion to extend the time for them to file petitions for review from December 27, 2021 (with responses due January 4, 2022), to December 30, 2021 (with responses due January 10, 2022). On December 16, 2021, the Chair granted the motion.

On December 30, 2021, Complainant and Respondents filed separate petitions for review of the EID. Complainant, Respondents, and OUII filed responses to the petitions on January 10, 2022.

The Commission has determined to extend the due date for determining whether to review the enforcement ID from January 28, 2022 to February 11, 2022.

The Commission vote for this determination took place on January 28, 2022.

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.



Lisa R. Barton
Secretary to the Commission

Issued: January 28, 2022