

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

CERTAIN KNITTED FOOTWEAR

Investigation No. 337-TA-1289

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION SETTING THE TARGET DATE FOR COMPLETION OF THE
INVESTIGATION AT APPROXIMATELY 17 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. 5) setting the target date to complete the above-captioned investigation for June 6, 2023, approximately 17 months from the Federal Register notice of institution.

FOR FURTHER INFORMATION CONTACT: Panyin A. Hughes, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., 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, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: On January 13, 2022, the Commission instituted this investigation based on a complaint filed by Nike, Inc. of Beaverton, Oregon. 87 FR 2176-77 (Jan. 13, 2022). The complaint alleged violations of section 337 based on the importation into the United States, the sale for importation, or the sale within the United States after importation of certain knitted footwear by reason of infringement of one or more claims of U.S. Patent Nos. 9,918,511; 9,743,705; 8,266,749; 7,814,598; 9,060,562; and 8,898,932. *Id.* The Commission's notice of investigation named the following adidas entities as respondents: adidas AG of Herzogenaurach, Germany; adidas North America, Inc. of Portland Oregon; and adidas America, Inc. also of Portland, Oregon. The Office of Unfair Import Investigations was not named as a party in this investigation. *Id.*

On February 15, 2022, the ALJ issued the subject ID (Order No. 5) setting the target date for completion of the investigation at 17 months. The ALJ set the target date at 17 months in consideration of the parties' proposal to set such a target date and the number of patents at issue

in the investigation. ID at 1-2. Given that the target date is more than 16 months, the ALJ issued the order as an ID. *See* 19 CFR 210.51(a)(1). No one petitioned for review of the ID.

The Commission has determined not to review the subject ID. The target date for completion of the investigation is set for June 6, 2023, and the deadline for issuing the final ID is February 6, 2023.

The Commission vote for this determination took place on March 17, 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: March 17, 2022