

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC

In the Matter of

**CERTAIN LOOM KITS FOR
CREATING LINKED ARTICLES**

Inv. No. 337-TA-923

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO RESPONDENT
CREATIVE KIDSTUFF, LLC**

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 an initial determination (Order No. 3) granting an unopposed motion to terminate the above-captioned investigation as to respondent Creative Kidstuff, LLC.

FOR FURTHER INFORMATION CONTACT: Clark S. Cheney, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-2661. 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 (<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 August 6, 2014, based on a complaint filed by Choon's Design, Inc., of Wixom, Michigan ("Choon's"). 79 *Fed. Reg.* 45844-45 (August 6, 2014). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), by reason of infringement of U.S. Patent No. 8,485,565. The notice of investigation names numerous respondents, including Creative Kidstuff, LLC, of Minneapolis, Minnesota ("Creative Kidstuff"). The complaint alleged, upon information and belief, that Creative Kidstuff owned a store inside the Detroit Metro Airport that sold an imported infringing product called DIY Loom Bands Colorful kit.

On August 20, 2014, Choon's filed a motion to withdraw the allegations in the complaint against Creative Kidstuff. The motion stated that, subsequent to the filing of the complaint, Choon's learned that Creative Kidstuff does not own the store in question and that Creative Kidstuff has never imported a product known as DIY Loom Bands Colorful kit. On August 27, 2014, the Commission investigative attorney filed a response in support of the motion. No other responses to the motion were filed.

On September 2, 2014, the presiding administrative law judge ("ALJ"), issued Order No. 3, granting the motion and issuing an initial determination ("ID") that the investigation should be terminated with respect to Creative Kidstuff. The ALJ noted that "Creative Kidstuff has never imported a product known as [DIY] Loom Bands Colorful kit," nor has it owned a store that sold that product. The ALJ further noted that there were no agreements between the parties concerning the subject matter of the investigation and no extraordinary circumstances that would preclude granting the motion. No petitions for review of the ID have been filed.

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.



Lisa R. Barton
Secretary to the Commission

Issued: September 26, 2014