

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN LASER ABRADED DENIM
GARMENTS**

Investigation No. 337-TA-930

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING AMERICAN EAGLE OUTFITTERS, INC.
ON THE BASIS OF A SETTLEMENT AND LICENSE AGREEMENT**

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. 71) terminating the investigation as to respondent American Eagle Outfitters, Inc. ("AEO") on the basis of a settlement and license agreement.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2392. 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 TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on September 23, 2014, based on a complaint filed by RevoLaze, LLC and TechnoLines, LLC, both of Westlake, Ohio. 79 *Fed. Reg.* 56828 (Sept. 23, 2014). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, by reason of the importation into the United States, the sale for importation, and the sale within the United States after importation of certain laser abraded denim garments. The complaint alleged the infringement of seventy-one claims of six United States patents. The notice of institution named twenty respondents. On January 23, 2015, the ALJ granted the complainants' motion to amend the

complaint and notice of investigation to add nine respondents. Order No. 23 at 3-4 (Jan. 23, 2015), not reviewed, Notice at 2 (Feb. 20, 2015). Several respondents have been terminated from the investigation based on settlement agreements and a consent order.

On June 16, 2015, the complainants and AEO jointly filed a motion to terminate AEO on the basis of a settlement and license agreement. The movants filed confidential and public versions of the settlement and license agreement. The movants also affirmed that there are no other agreements, written or oral, express or implied, between them concerning the subject matter of the investigation. On June 26, 2015, the Commission investigative attorney responded in support of the motion. That same day, respondent Gap, Inc. filed a response stating that it takes no position on the motion. No other responses were received.

On July 7, 2015, the ALJ granted the motion as an ID, finding that termination as to AEO is in the public interest. Order No. 71 at 2.

No petitions for review of the ID were 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.

A handwritten signature in black ink, appearing to read "Lisa R. Barton". The signature is stylized and cursive.

Lisa R. Barton
Secretary to the Commission

Issued: August 5, 2015