

**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 EXTENDING THE DATE
FOR THE COMMISSION TO DETERMINE WHETHER TO
REVIEW ORDER NOS. 43 AND 83**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to extend from March 29, 2016, to April 12, 2016, the date by which to determine whether to review Order Nos. 43 and 83.

FOR FURTHER INFORMATION CONTACT: Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-5468. 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 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, who, one-by-one were terminated from the investigation. On November 18, 2015, the Commission terminated the last remaining respondents from the investigation on the basis of settlement and withdrawal of the complaint. 80 *Fed. Reg.* 73209, 73210 (Nov. 24, 2015).

However, previously in the investigation, the then-presiding ALJ disqualified complainants' former counsel Dentons US LLP ("Dentons") in an order that was not an initial determination ("ID"). Order No. 43 (May 7, 2015). Subsequently, the ALJ granted (as an ID) Dentons' motion to intervene regarding its disqualification, Order No. 82 (Aug. 7, 2013), but denied (as an order) Dentons' motion for reconsideration of Order No. 43 as well as Dentons' request for leave to seek interlocutory review before the Commission, Order No. 83 (Aug. 7, 2015); *see* 19 C.F.R. § 210.24 (interlocutory review by the Commission). The Commission determined not to review Order No. 82. Notice (Aug. 26, 2015).

In response to the issuance of an ID (Order No. 106), which terminated the investigation before the ALJ, on October 27, 2015, Dentons filed a petition for Commission review of Order Nos. 43 and 83. *See* 19 C.F.R. § 210.24 (rulings by the ALJ "on motions may not be appealed to the Commission prior to the administrative law judge's issuance of an initial determination"). On November 3, 2015, and November 9, 2015, the Office of Unfair Import Investigations and the Gap, respectively, opposed Dentons' petition. On November 24, 2015, the Commission, in connection with its termination of the last remaining respondents, set January 20, 2016, as the date by which to determine whether to review the Dentons-related orders. The Commission later extended this date to March 29, 2016. Notice (Jan. 12, 2016).

Commission Rule 210.42 does not impose a deadline upon the Commission for ruling on Dentons' petition for review, which arises from ALJ orders in the investigation. The target date for completion of the investigation is September 26, 2016. The Commission has determined that Order Nos. 43 and 83 shall become the determination of the Commission on April 12, 2016, unless the Commission orders review of those orders or certain issues therein or by order changes that date.

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: March 14, 2016