

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN ARROWHEADS WITH
DEPLOYING BLADES AND
COMPONENTS THEREOF AND
PACKAGING THEREFOR**

Investigation No. 337-TA-977

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION PARTIALLY TERMINATING THE INVESTIGATION AS TO
RESPONDENT NINGBO FAITH SPORTS CO., LTD. AND CERTAIN PATENT
CLAIMS**

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. 9), granting a motion of FeraDyne Outdoors LLC and Out RAGE LLC, both of Cartersville, Georgia (collectively, "FeraDyne"), to terminate the above-captioned investigation in part as to respondent Ningbo Faith Sports Co., Ltd. of Zhejiang, China ("Ningbo Faith Sports") and as to certain claims of the asserted patents.

FOR FURTHER INFORMATION CONTACT: Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2301. 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's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on December 22, 2015, based on a complaint filed by FeraDyne. 80 *Fed. Reg.* 79612-13 (Dec. 22, 2015). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, by reason of infringement of certain claims of U.S. Patent Nos. RE44,144; 6,517,454 ("the '454 patent"); 8,758,176 ("the '176 patent"); 8,986,141 ("the '141 patent");

9,068,806 (“the ’806 patent”); 7,771,298 (“the ’298 patent”); D710,962; D711,489; and of U.S. Trademark Registration No. 4,812,058. The complaint further alleges the existence of a domestic industry. The Commission’s Notice of Investigation names as respondents Linyi Junxing Sports Equipment Co., Ltd. of Shangdong, China (“Linyi Junxing”); Ningbo Faith Sports; Ningbo Forever Best Import & Export Co. Ltd. of Jiangsu, China (“Ningbo Forever”); Ningbo Linkboy Outdoor Sports Co., Ltd. of Zhejiang, China (“Ningbo Linkboy”); Shenzhen Zowaysoon Trading Company Ltd. of Shenzhen, China (“Shenzhen Zowaysoon”); Xiamen Xinhongyou Industrial Trade Co. Ltd. of Fujian, China (“Xiamen Xinhongyou Industrial”); Xiamen Zhongxinyuan Industry & Trade Ltd. of Fujian, China (“Xiamen Zhongxinyuan”); Zhengzhou IRQ Trading Limited Company of Henan, China (“Zhengzhou IRQ”); and Zhengzhou Paiao Trade Co., Ltd. of Henan, China (“Zhengzhou Paiao”). The Office of Unfair Import Investigations (“OUII”) was also named as a party. The Commission previously found respondents Linyi Junxing, Ningbo Forever, Ningbo Linkboy, Shenzhen Zowaysoon, Xiamen Zhongxinyuan, Zhengzhou IRQ, Zhenzhou Paiao, and Xiamen Xinhongyou Industrial in default. Notice (May 10, 2016); Order No. 6 (Apr. 12, 2016); Notice (June 23, 2016); Order No. 8 (May 23, 2016).

On May 23, 2016, FeraDyne filed a motion pursuant to Commission Rule 210.21(a)(1) to withdraw its complaint as to respondent Ningbo Faith Sports. FeraDyne also moved to withdraw, against all named respondents, claims 2-3, 5, and 8 of the ’454 patent; claims 5 and 10 of the ’298 patent; claim 3 of the ’176 patent; claim 8 of the ’141 patent and claim 3 of the ’806 patent. On May 31, 2016, OUII filed a response supporting the motion. No other party filed a response.

On June 3, 2016, the ALJ issued the subject ID, granting FeraDyne’s motion. The ALJ found that the motion “reduces the number of issues to be decided in this investigation” and that, pursuant to Commission Rule 210.21(a)(1), the motion states that “there are no agreements, written or oral, express or implied between the parties concerning the subject matter of the Investigation as it relates to this motion.” ID at 2 (citing Mot. at 1-2). No party filed a petition for review of the subject ID.

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).

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: June 28, 2016