

ZA La Balme of Belberaud, France (collectively, “Complainants”). *See* 87 FR 53788–89 (Sept. 1, 2022). The complaint alleges a violation of section 337 based upon the importation into the United States, sale for importation, or sale after importation into the United States of certain robotic pool cleaners and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 8,393,029 and 8,393,031. *Id.* at 53789. The complaint further alleges that a domestic industry exists. *Id.* The notice of investigation names four respondents, including Wybotics Co. Ltd. d/b/a Winny Pool Cleaner, f/k/a Tianjin Wangyuan, Environmental Protection and Technology Co., Ltd. of Tianjin, China and Tianjin Pool & Spa Corporation of Commerce, California (collectively, “Wybotics”), as well as Shenzhen Aiper Intelligent Co., Ltd. of Guangdong Province, China; Aiper Intelligent, LLC of Roswell, Georgia; and Aiper, Inc. of Los Angeles, California (collectively, “the Aiper Entities”). *Id.*

On February 17, 2023, Complainants filed an unopposed motion to terminate this investigation with respect to the Aiper Entities based on a consent order stipulation and proposed consent order. No responses to the motion were filed.

On February 20, 2023, Complainants filed an unopposed motion to partially withdraw the complaint and terminate this investigation with respect to Wybotics, the remaining respondents. No responses to the motion were filed.

On February 21, 2023, the ALJ issued the two subject IDs. *See* Order No. 15 (Feb. 21, 2023); Order No. 16 (Feb. 21, 2023). The first subject ID (Order No. 15) grants the motion to terminate the Aiper Entities and finds that the unopposed motion, consent order stipulation, and proposed consent order satisfy the requirements of Commission Rules 210.21(c)(3) and (c)(4) (19 CFR 210.21(c)(3), (c)(4)). The first ID also finds that termination of the Aiper Entities would not be contrary to the public interest. The second subject ID (Order No. 16) grants the motion to terminate the Wybotics respondents, and thus the investigation in its entirety. The second subject ID finds that Complainants meet the requirements of Commission Rule 210.21(a) (19 CFR 210.21(a)) and there are no extraordinary circumstances that would prevent the requested termination of the investigation. The second subject ID also finds that termination of the investigation would not be contrary to the public interest.

On February 27, 2023, Wybotics filed a petition for limited review of Order No. 16. Specifically, Wybotics seeks review of the quotation of

Complainants’ statement that Wybotics “will no longer import or sell the Accused Products.” Wybotics did not seek review of the finding that the investigation should be terminated. On March 3, 2023, Complainants filed a response opposing Wybotics petition.

The Commission has determined not to review the subject IDs (Order Nos. 15 and 16). The Commission has issued a consent order directed to the Aiper Entities. The investigation is terminated.

The Commission vote for this determination took place on March 17, 2023.

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.

Issued: March 17, 2023.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2023–05936 Filed 3–22–23; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1301]

Certain Mobile Phones and Tablet Computers, All With Switchable Connectivity; Notice of a Commission Determination Not To Review an Initial Determination Granting a Joint Motion To Terminate the Investigation Based on a Settlement Agreement; Termination of the Investigation

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 (“ID”) (Order No. 38) of the presiding Administrative Law Judge (“ALJ”) granting a joint motion to terminate the investigation based on a settlement agreement. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2392. 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 on (202) 205–1810.

SUPPLEMENTARY INFORMATION: On February 24, 2022, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based on a complaint filed by Ericsson Inc. of Plano, Texas and Telefonaktiebolaget LM Ericsson of Stockholm, Sweden (collectively, “Ericsson” or “Complainants”). 87 FR 10386–87 (Feb. 24, 2022). The complaint, as supplemented, alleged a violation of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain mobile phones and tablet computers, all with switchable connectivity, and products containing same by reason of infringement of certain claims of U.S. Patent Nos. 8,792,454 (“the ‘454 patent”); 10,880,794 (“the ‘794 patent”); and 8,472,999 (“the ‘999 patent”). *Id.* at 10386. The complaint also alleged the existence of a domestic industry.

The notice of investigation named as a respondent Apple Inc. of Cupertino, California (“Apple”). *Id.* The Commission’s Office of Unfair Import Investigations (“OUII”) is also named as a party in this investigation. *Id.* at 10386–87.

Subsequently, the Commission terminated all asserted claims of the ‘794 patent and claims 11–17 of the ‘999 patent from this investigation by reason of withdrawal of the complaint allegations under 19 CFR 210.21(a). *See* Order No. 23 (Aug. 3, 2022), *unreviewed by* Notice (Sept. 1, 2022). On July 13, 2022, Ericsson filed a renewed motion (“Motion”) with an accompanying memorandum (“Memo”) seeking a summary determination that it satisfies the economic prong. The motion was granted. Order No. 15 (Jun. 28, 2022). The Commission determined to review Order No. 15 in part. Specifically, the Commission determined to review the Order No. 15’s finding that Ericsson met the economic prong of the domestic industry requirement as to the ‘794 patent under 19 U.S.C. 1337(a)(3) subparagraphs (A) and (B). Comm’n Notice (Sept. 9, 2022). Because the ‘794 patent was withdrawn from the investigation, the Commission determined to vacate as moot Order No. 15’s finding that Ericsson met the

economic prong of the domestic industry requirement as to the '794 patent under 19 U.S.C. 1337(a)(3) subparagraphs (A) and (B). The Commission determined not to review Order No. 15's finding that Ericsson met the economic prong of the domestic industry requirement as to the '454 and '999 patents under 19 U.S.C. 1337(a)(3) subparagraph (A). *Id.*

On February 6, 2023, complainants Ericsson and respondent Apple moved pursuant to 19 CFR 210.21(b) to terminate the investigation based on a settlement agreement. On February 7, 2023, OUII filed a statement in support.

On February 16, 2023, the ALJ issued the subject ID (Order No. 38) granting the motion. The ID found that the subject motion complies with the Commission rules and that there are no extraordinary circumstances that warrant denying the motion. ID at 2. The ID also found that there is no evidence indicating that terminating this investigation based on the settlement agreement would be contrary to the public interest. *Id.*

No party petitioned for review of the ID.

The Commission has determined not to review the subject ID. Accordingly, the investigation is terminated in its entirety.

The Commission vote for this determination took place on March 20, 2023.

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.

Issued: March 20, 2023.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2023-06013 Filed 3-22-23; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1279]

Certain Flocked Swabs, Products Containing Flocked Swabs, and Methods of Using Same; Notice of a Commission Determination To Review in Part a Final Initial Determination; and, on Review, To Find No Violation of Section 337; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review in part the presiding administrative law judge's ("ALJ") final initial determination ("ID") issued on October 28, 2022, finding no violation of section 337, in the above-referenced investigation. On review, the Commission has determined to find no violation of section 337. The investigation is terminated in its entirety.

FOR FURTHER INFORMATION CONTACT:

Cathy Chen, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2392. 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 on (202) 205-1810.

SUPPLEMENTARY INFORMATION: On September 2, 2021, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based on a complaint filed by Copan Italia S.p.A. and Copan Industries, Inc. ("Copan," or "Complainants"). 86 FR 49343-44 (Sept. 2, 2021). The complaint alleged a violation of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain flocked swabs, products containing flocked swabs, and methods of using same by reason of infringement of claims 1, 6-9, 11-14, 16-19, and 21-22 of U.S. Patent No. 9,011,358 ("the '358 patent"); claims 1, 4-6, 8, 9, 11-13, 16-20, and 22-24 of U.S. Patent No. 9,173,779 ("the '779 patent"); and claims 1, 3, 5, 7-10, 18, and 20 of U.S. Patent No. 10,327,741 ("the '741 patent"). The complaint also alleged the existence of a domestic industry.

The notice of investigation named numerous respondents, including Han Chang Medic of Chungnam, Republic of Korea ("HCM"); Wuxi NEST Biotechnology Co., Ltd. of Wuxi, Jiangsu, China; NEST Scientific Inc. and NEST Scientific USA, both of Rahway, New Jersey (collectively, "NEST"); Miraclean Technology Co., Ltd. of Shenzhen, Guangdong, China

("Miraclean"); Vectornate Korea Ltd. of Jangseong, Republic of Korea and Vectornate USA, Inc. of Mahwah, New Jersey (collectively, "Vectornate"); Innovative Product Brands, Inc. of Highland, California ("Innovative"); Thomas Scientific, Inc. of Swedesboro, New Jersey ("TSI"); Thomas Scientific, LLC ("TSL") and Stellar Scientific, LLC ("Stellar"), both of Owings Mills, Maryland; Cardinal Health, Inc. of Dublin, Ohio ("Cardinal"); KSL Biomedical, Inc. and KSL Diagnostics, Inc., both of Williamsville, New York (collectively, "KSL"); Jiangsu Changfeng Medical Industry Co., Ltd. of Yangzhou, Jiangsu, China ("JCM"); No Borders Dental Resources, Inc., dba MediDent Supplies of Queen Creek, Arizona ("MediDent"); BioTeke Corporation (Wuxi) Co., Ltd. of Wuxi, Jiangsu, China ("BioTeke"); Fosun Pharma USA Inc. of Princeton, New Jersey ("Fosun"); Hunan Runmei Gene Technology Co., Ltd. of Changsha, Hunan, China ("HRGT"); VWR International, LLC of Radnor, Pennsylvania ("VWR"); and Slmp, LLC dba StatLab Medical Products of McKinney, Texas ("StatLab"). *Id.* at 49343-44. The Commission's Office of Unfair Import Investigations ("OUII") was also named as a party in this investigation. *Id.* at 49344. After institution, Huachenyang (Shenzhen) Technology Co., Ltd. ("HCY") and HCY USA, LLC ("HCY USA") were allowed to intervene as respondents in this investigation. Order No. 30 (Dec. 7, 2021), *unreviewed by* Notice (Jan. 6, 2021).

On June 15, 2022, a Claim Construction Order (Order No. 51) issued construing claim terms from the asserted patents. Pursuant to the parties' request, that Order was amended with respect to the definition of level of a person of ordinary skill in the art in Order No. 66 (July 1, 2022). An evidentiary hearing was held on June 27-July 1, 2022.

During the course of the investigation, a number of respondents were terminated from the investigation or were found in default. *See* ID at 7 n.5 (noting termination of the investigation as to KSL, VWR, Cardinal, Innovative, Vectornate, TSL, TSI, Stellar, HCY USA, StatLab, and Fosun); ID at 7 n.6 (citing Order No. 27 (Nov. 15, 2021), *unreviewed*, Comm'n Notice (Dec. 6, 2021) (finding HRGT in default); Order No. 31 (Dec. 15, 2021), *unreviewed*, Comm'n Notice (Jan. 10, 2022) (finding HCM and MediDent in default)). The following respondents remain in the investigation: NEST, JCM, BioTeke, Miraclean, and HCY (collectively, "Respondents").