

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–523 and 731–TA–1259 (Preliminary)]

Boltless Steel Shelving Units Prepackaged for Sale From China

Determinations

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission (“Commission”) determines, pursuant to sections 703(a) and 733(a) of the Tariff Act of 1930 (19 U.S.C. 1671b(a) and 1673b(a)) (“the Act”), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports from China of boltless steel shelving units prepackaged for sale (“boltless steel shelving”), provided for in subheadings 9403.10.00 and 9403.20.00 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (“LTFV”) and that are allegedly subsidized by the Government of China.

Commencement of Final Phase Investigations

Pursuant to section 207.18 of the Commission’s rules, the Commission also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling, which will be published in the **Federal Register** as provided in section 207.21 of the Commission’s rules, upon notice from the Department of Commerce (“Commerce”) of affirmative preliminary determinations in the investigations under sections 703(b) or 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in those investigations under sections 705(a) or 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigations need not enter a separate appearance for the final phase of the investigations. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

¹ The record is defined in sec. 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR § 207.2(f)).

Background

On August 26, 2014, petitions were filed with the Commission and Commerce by Edsal Manufacturing Co., Inc., Chicago, Illinois, alleging that an industry in the United States is materially injured or threatened with material injury by reason of LTFV and subsidized imports of boltless steel shelving from China. Accordingly, effective August 26, 2014, the Commission instituted countervailing duty investigation No. 701–TA–523 and antidumping duty investigation No. 731–TA–1259 (Preliminary).

Notice of the institution of the Commission’s investigations and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of September 2, 2014 (79 FR 52040). The conference was held in Washington, DC, on September 16, 2014, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on October 10, 2014. The views of the Commission are contained in USITC Publication 4495 (October 2014), entitled *Boltless Steel Shelving Units Prepackaged for Sale from China*.

By order of the Commission.

Issued: October 10, 2014.

Lisa R. Barton,
Secretary to the Commission.

[FR Doc. 2014–24650 Filed 10–16–14; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–884]

Certain Consumer Electronics With Display and Processing Capabilities; Commission Determination Not to Review an Initial Determination Granting Intervenor Status to Google, Inc.

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. 6) granting Google Inc.’s (“Google”) motion to intervene in the above-captioned investigation.

FOR FURTHER INFORMATION CONTACT:

Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 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 SW., Washington, DC 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 August 21, 2014, based on a Complaint filed by Enterprise Systems Technologies S.a.r.l. of Luxembourg (“Enterprise”). 79 FR 49537–38 (Aug. 21, 2014). The Complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, and the sale within the United States after importation of communications or computing devices and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 5,870,610 (“the ‘610 patent”); 6,594,366; 6,691,302 (“the ‘302 patent”); and 7,454,201 (“the ‘201 patent”). The Complaint further alleges the existence of a domestic industry. The Commission’s Notice of Investigation named several respondents, including HTC Corporation of Taoyuan, Taiwan and HTC America, Inc. of Bellevue, Washington (collectively “HTC”); LG Electronics, Inc. of Seoul, Republic of Korea, LG Electronics U.S.A., Inc. of Englewood Cliffs, New Jersey, and LG Electronics MobileComm U.S.A., Inc. of San Diego, California (collectively “LG”); and Samsung Electronics Co., Ltd of Seoul, Republic of Korea, Samsung Electronics America, Inc. of Ridgefield Park, New Jersey, and Samsung Telecommunications America, L.L.C. of Richardson, Texas (collectively “Samsung”). The Office of Unfair Import Investigations was also named as a party to the investigation.

On August 28, 2014, Google moved to intervene in the investigation with respect to the ‘302, ‘610, and ‘201

patents. The motion noted that none of the named respondents opposed Google's proposed intervention. On September 3, 2014, Enterprise filed a response to Google's motion, indicating that it does not oppose the motion given Google's assurance that it will not object to or oppose any discovery sought by Enterprise on the basis of intervenor status and on the condition that Google participate fully in discovery as if it were a named respondent. On September 8, 2014, the Commission investigative attorney filed a response indicating no opposition to Google's motion.

On September 9, 2014, the ALJ issued the subject ID, granting intervenor status to Google pursuant to section 210.19 of the Commission's Rules of Practice and Procedure (19 CFR 210.19). The ALJ found that Google's motion is timely and that Google has an interest in the investigation because Google products and services are identified in the Complaint in connection with the accused devices of HTC, LG, and Samsung. The ALJ also noted that the interests of those respondents will be centered on their own respective accused devices rather than on the particularities of the Android platform or Google's proprietary products and services. The ALJ found, therefore, that denying Google the opportunity to intervene could impair or impede Google's ability to protect its interest which would not be adequately represented by the existing parties. The ALJ further found no evidence that Google's intervention will unduly delay or prejudice the adjudication of the original parties' rights.

No petitions for review of the subject 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 CFR part 210).

By order of the Commission.

Issued: October 10, 2014.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2014-24638 Filed 10-16-14; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-895]

Certain Multiple Mode Outdoor Grills and Parts Thereof; Notice of Request for Statements on the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the presiding administrative law judge has issued a Final Initial Determination and Recommended Determination on Remedy and Bonding in the above-captioned investigation. The Commission is soliciting comments on public interest issues raised by the recommended relief, specifically a limited exclusion order and/or cease and desist orders against certain infringing multiple mode outdoor grills and parts thereof imported by The Brinkmann Corporation of Dallas, Texas; Outdoor Leisure Products, Incorporated of Neosho, Missouri; Academy Ltd., d/b/a/Academy Sports + Outdoors of Katy, Texas; Dongguan Kingsun Enterprises Co., Ltd. of Hengli Town, Dongguan City, China; and Ningbo Huige Outdoor Products Co. of Fenghua City, Zhejiang Province, China; Char-Broil, LLC of Columbus, Georgia; and Keesung Manufacturing Co., Ltd. of Guangzhou 511475, China. This notice is soliciting public interest comments from the public only. Parties are to file public interest submissions pursuant to 19 CFR 210.50(a)(4).

FOR FURTHER INFORMATION CONTACT:

Cathy Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-2392. The public version of the complaint can be accessed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov> and 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 SW., Washington, DC 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: Section 337 of the Tariff Act of 1930 provides that if the Commission finds a violation it shall exclude the articles concerned from the United States:

unless, after considering the effect of such exclusion upon the public health and welfare, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, and United States consumers, it finds that such articles should not be excluded from entry.

19 U.S.C. 1337(d)(1). A similar provision applies to cease and desist orders. 19 U.S.C. 1337(f)(1).

The Commission is interested in further development of the record on the public interest in these investigations. Accordingly, members of the public are invited to file submissions of no more than five (5) pages, inclusive of attachments, concerning the public interest in light of the administrative law judge's Recommended Determination on Remedy and Bonding issued in this investigation on October 9, 2014. Comments should address whether issuance of a limited exclusion order and/or a cease and desist order in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the recommended orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the recommended orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the recommended exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the limited exclusion order and/or cease and desist order would impact consumers in the United States.

Written submissions must be filed no later than by close of business on Wednesday, November 5, 2014.

Persons filing written submissions must file the original document