



7020-02

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-929]

Certain Beverage Brewing Capsules, Components Thereof, and Products Containing the Same

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 (“ALJ”) has issued an Initial Determination and Recommended Determination on Remedy and Bonding in the above-captioned investigation. The ALJ found no violation of section 337. Should the Commission, however, find a violation of section 337, the ALJ recommends that the Commission issue a limited exclusion order against DongGuan Hai Precision Mould Co., Ltd. and issue a limited exclusion order and a cease and desist order against Solofill LLC with respect to U.S. Patent No. 8,720,320. The Commission is soliciting comments on public interest issues raised by the recommended relief. This notice is soliciting public interest comments from the public only. Parties are to file public interest submissions pursuant to 19 C.F.R. § 210.50(a)(4).

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. 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, 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: 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 Initial Determination and
Recommended Determination on Remedy and Bonding issued in this investigation on
September 4, 2015. Comments should address whether issuance of limited exclusion
orders and 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 limited exclusion orders and cease and desist order are used in the United States;
- (ii) identify any public health, safety, or welfare concerns in the United States relating to the recommended limited exclusion orders and cease and desist order;
- (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 limited exclusion orders and cease and desist order within a commercially reasonable time; and
- (v) explain how the recommended limited exclusion orders and cease and desist order would impact consumers in the United States.

Written submissions must be filed no later than by close of business on October 5, 2015.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above and submit 8 true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the Commission's Rules of

Practice and Procedure (19 C.F.R. 210.4(f)). Submissions should refer to the investigation number (“Inv. No. 929”) in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf). Persons with questions regarding filing should contact the Secretary (202-205-2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 C.F.R. § 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. A redacted non-confidential version of the document must also be filed simultaneously with the any confidential filing. All non-confidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.

This action is taken under the authority of 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.

Issued: September 15, 2015.

Lisa R. Barton,
Secretary to the Commission.

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