

**DATES:** *Effective Date:* September 16, 2013.

**FOR FURTHER INFORMATION CONTACT:**

Amy Sherman (202–205–3289), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 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 these investigations may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**SUPPLEMENTARY INFORMATION:**

*Background.*—These investigations are being instituted in response to a petition filed on September 16, 2013, by Ajinomoto North America Inc. (“AJINA”), Itasca, Illinois.

*Participation in the investigations and public service list.*—Persons (other than petitioners) wishing to participate in the investigations as parties must file an entry of appearance with the Secretary to the Commission, as provided in sections 201.11 and 207.10 of the Commission's rules, not later than seven days after publication of this notice in the **Federal Register**. 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 these investigations upon the expiration of the period for filing entries of appearance.

*Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.*—Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in these investigations available to authorized applicants representing interested parties (as defined in 19 U.S.C. 1677(9)) who are parties to the investigations under the APO issued in the investigations, provided that the application is made not later than seven days after the publication of this notice in the **Federal Register**. A separate service list will be maintained by the Secretary for those

parties authorized to receive BPI under the APO.

*Conference.*—The Commission's Director of Investigations has scheduled a conference in connection with these investigations for 9:30 a.m. on October 7, 2013, at the U.S. International Trade Commission Building, 500 E Street SW., Washington, DC. Requests to appear at the conference should be filed with [William.Bishop@usitc.gov](mailto:William.Bishop@usitc.gov) and [Sharon.Bellamy@usitc.gov](mailto:Sharon.Bellamy@usitc.gov) (DO NOT FILE ON EDIS) on or before October 3, 2013. Parties in support of the imposition of countervailing and antidumping duties in these investigations and parties in opposition to the imposition of such duties will each be collectively allocated one hour within which to make an oral presentation at the conference. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the conference.

*Written submissions.*—As provided in sections 201.8 and 207.15 of the Commission's rules, any person may submit to the Commission on or before October 10, 2013, a written brief containing information and arguments pertinent to the subject matter of the investigations. Parties may file written testimony in connection with their presentation at the conference no later than three days before the conference. If briefs or written testimony contain BPI, they must conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. Please be aware that the Commission's rules with respect to electronic filing have been amended. The amendments took effect on November 7, 2011. See 76 FR 61937 (Oct. 6, 2011) and the newly revised Commission's Handbook on E-Filing, available on the Commission's Web site at <http://edis.usitc.gov>.

In accordance with sections 201.16(c) and 207.3 of the rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.12 of the Commission's rules.

Issued: September 16, 2013.

By order of the Commission.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

[FR Doc. 2013–22896 Filed 9–19–13; 8:45 am]

**BILLING CODE 7020–02–P**

**INTERNATIONAL TRADE COMMISSION**

[Investigation No. 337–TA–894]

**Certain Tires and Products Containing Same; Institution of Investigation Pursuant to United States Code**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on August 14, 2013, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Toyo Tire & Rubber Co., Ltd. of Japan; Toyo Tire Holdings of Americas Inc. of Cypress, California; Toyo Tire U.S.A. Corp. of Cypress, California; Nitto Tire U.S.A. Inc. of Cypress, California; and Toyo Tire North America Manufacturing Inc. of White, Georgia. A supplement to the complaint was filed on September 5, 2013. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain tires and products containing same by reason of infringement of U.S. Design Patent No. D487,424 (“the ‘424 patent”); U.S. Design Patent No. D610,975 (“the ‘975 patent”); U.S. Design Patent No. D610,976 (“the ‘976 patent”); U.S. Design Patent No. D610,977 (“the ‘977 patent”); U.S. Design Patent No. D615,031 (“the ‘031 patent”); U.S. Design Patent No. D626,913 (“the ‘913 patent”); U.S. Design Patent No. D458,214 (“the ‘214 patent”); and U.S. Design Patent No. D653,200 (“the ‘200 patent”). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

**ADDRESSES:** The complaint, except for any confidential information contained therein, is 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., Room

112, Washington, DC 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (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>.

**FOR FURTHER INFORMATION CONTACT:** The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

**Authority:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2013).

*Scope of Investigation:* Having considered the complaint, the U.S. International Trade Commission, on September 13, 2013, *ordered that—*

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) 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 tires and products containing same by reason of infringement of one or more of the claim of the '424 patent; the claim of the '975 patent; the claim of the '976 patent; the claim of the '977 patent; the claim of the '031 patent; the claim of the '913 patent; the claim of the '214 patent; and the claim of the '200 patent; and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to Commission Rule 210.50(b)(1), 19 CFR 210.50(b)(1), the presiding administrative law judge shall take evidence or other information and hear arguments from the parties and other interested persons with respect to the public interest in this investigation, as appropriate, and provide the Commission with findings of fact and a recommended determination on this issue, which shall be limited to the statutory public interest factors set forth in 19 U.S.C. 1337(d)(1), (f)(1), and (g)(1);

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which

this notice of investigation shall be served:

(a) The complainants are:

Toyo Tire & Rubber Co., Ltd., 1-17-18 Edobori, Nishi-ku, Osaka 550-8661, Japan

Toyo Tire Holdings of Americas Inc., 5665 Plaza Drive, Suite 200, Cypress, CA 90630

Toyo Tire U.S.A. Corp., 5665 Plaza Drive, Suite 200, Cypress, CA 90630

Nitto Tire U.S.A. Inc., 5665 Plaza Drive, Suite 200, Cypress, CA 90630

Toyo Tire North America Manufacturing Inc., 3660 Highway 411 NE., White, GA 30184

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Hong Kong Tri-Ace Tire Co., Ltd., No. 612 6/F South Tower, Guangzhou International Trade Building, Tianhe, Guangzhou, Guangdong, China 510620

Weifang Shunfuchang Rubber & Plastic Co., Ltd., The West of JinGuang Street, Chenming Industrial Park, Shouguang City, Shandong, China 262719

Doublestar Dong Feng Tyre Co., Ltd., No. 21 Hanjiang North Road, Shiyan, Hubei, China 442011

Shandong Yongtai Chemical Group Co., Ltd., No. 14 Yingchun Road, Dawang Town, Shangrao, Dongying, Shandong, China 257335

MHT Luxury Alloys, 19200 S Reyes Avenue, Rancho Dominguez, CA 90221

Wheel Warehouse, Inc., 125 W La Palma Ave., Unit P, Anaheim, CA 92801

Shandong Linglong Tyre Co., Ltd., 777 Jinlong Road, Zhaoyuan City, Shandong, China 265406

Dunlap & Kyle Company, Inc., d/b/a Gateway Tire and Service, Eureka St. Extended, Batesville, MS 38606

Unicorn Tire Corp., 4660 Distriplex Drive West, Memphis, TN 38118

West KY Customs, LLC, 380 Chapel Lane, Benton, KY 42025

Svizz-One Corporation Ltd., 4/1-2 Moo 7, Banglane-Kohrat Road, Bangpla, Banglane, Nakornpathom, Thailand 73170

South China Tire and Rubber Co., Ltd., 116 Donghuan Road, Panyu District, Guangzhou City, Guangdong, China 511400

American Omni Trading Co., LLC, 15354 Park Row, Houston, TX 77084

Tire & Wheel Master, Inc., 3745 Petersen Road, Stockton, CA 95215

Simple Tire, 472 S Walnut Avenue, Cookeville, TN 38501

WTD Inc., 16201 Commerce Way, Cerritos, CA 90703

Guangzhou South China Tire & Rubber Co., Ltd., Bldg 14 #13 Qianjin Road

(C), Aotou, Conghua, Guangdong, China 510940

Turbo Wholesale Tires, Inc., 5793 Martin Road, Irwindale, CA 91706

TireCrawler.com, 12238 S Woodruff Avenue, Downey, CA 90241

Lexani Tires Worldwide, Inc., 5793 Martin Road, Irwindale, CA 91706

Vittore Wheel & Tire, 502 Industrial Park Avenue, Asheboro, NC 27203

RTM Wheel & Tire, 162 North Cherry Street, Asheboro, NC 27203

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW., Suite 401, Washington, DC 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: September 16, 2013.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

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