

Technology Co., Ltd. of China; Shenzhen Li Feng Maoyiyouxiangongsi of China; Shenzhen Mediatek Tong Technology Co., Ltd. of China; Shenzhen Moock Technology Co., Ltd. of China; Shenzhen Muke Technology Co., Ltd. of China; Shenzhen Pengfenghe Trading Co., Ltd. of China; Shenzhen PuChengWeiLai Technology of China; Shenzhen Shi Shenai Dianzishangwu Youxian Gongsi of China; Shenzhen Take Tools Co., Ltd. of China; Shenzhen Topdon Technology Co., Ltd. of China; Shenzhen Valuelink E-Commerce Co., Ltd. of China; Shenzhen Vigor PowerBatter Co., Ltd. of China; Shenzhen Winplus Technology Co., Ltd. of China; Shenzhen Xinxing E-Commerce of China; Shenzhen Yike Electronics Co., Ltd. of China; Sitect Instruments Co., Ltd. of Hong Kong; Smartech Products, Inc. of Savage, MD; Smart Well International Development Limited of Hong Kong; Stanley Black & Decker, Inc. of New Britain, CT; Stanley Black & Decker Precision Manufacturing (Shenzhen) Co., Ltd. of China; Substanbo Innovations Technology, Ltd. of Hong Kong; Sunlux Mfg. Co., Ltd. (Vietnam) of Vietnam; Sun Tech Ltd. of Hong Kong; ThiEYE Technologies Co., Ltd. of China; Tii Trading Inc. of Baldwin Park, CA; Walmart Inc. of Bentonville, AR; Wal-Mart Stores, Inc. of Bentonville, AR; Sam's West, Inc. (d/b/a Sam's Club) of Little Rock, AR; Sam's East, Inc. (d/b/a Sam's Club) of Little Rock, AR; Wilmar Corporation of Tukwila, WA; Winplus North America, Inc. of Costa Mesa, CA; Yuyao Keen New Power Co., Ltd. LLC of China; Zagg Co. Rrd Gst of Plainfield, IN; Zhejiang Quingyou Electronic Commerce Co., Ltd. of China; and 70mai Co., Ltd. of China. The complainant requests that the Commission issue a general exclusion order, cease and desist orders, and impose a bond upon respondents' alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondents, other interested parties, and members of the public are invited to file comments on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant 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 requested remedial orders are used in the United States;
- (ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial 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 requested exclusion order and/or a cease and desist order within a commercially reasonable time; and
- (v) explain how the requested remedial orders would impact United States consumers.

Written submissions on the public interest must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation. Any written submissions on other issues must also be filed by no later than the close of business, eight calendar days after publication of this notice in the **Federal Register**. Complainant may file replies to any written submissions no later than three calendar days after the date on which any initial submissions were due. Any submissions and replies filed in response to this Notice are limited to five (5) pages in length, inclusive of attachments.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. Submissions should refer to the docket number ("Docket No. 3526") in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, Electronic Filing Procedures¹). Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, <https://edis.usitc.gov>.) No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice. Persons with questions

¹ Handbook for Electronic Filing Procedures: https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf.

regarding filing should contact the Secretary at EDIS3Help@usitc.gov.

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 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) By the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel,² solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.³

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: January 19, 2021.

William Bishop,
Supervisory Hearings and Information
Officer.

[FR Doc. 2021-01607 Filed 1-27-21; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1000 (REMAND)]

Certain Motorized Self-Balancing Vehicles; Notice of a Commission Determination To Terminate the Investigation on Remand Due to Mootness

AGENCY: U.S. International Trade
Commission.

ACTION: Notice.

² All contract personnel will sign appropriate nondisclosure agreements.

³ Electronic Document Information System (EDIS): <https://edis.usitc.gov>.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to terminate the investigation on remand from the U.S. Court of Appeals for the Federal Circuit (“Federal Circuit”) due to mootness.

FOR FURTHER INFORMATION CONTACT:

Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708–2310. 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 May 26, 2016, based on a complaint filed on behalf of Razor USA LLC of Cerritos, California; and Inventist, Inc. and Shane Chen, both of Camas, Washington (collectively, “Razor”). 81 FR 33548–49. The complaint alleged, *inter alia*, 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 No. 8,738,278 (“the ’278 patent”). The Commission’s notice of investigation named twenty-eight respondents. The Office of Unfair Import Investigations (“OUII”) also participated in the investigation. *Id.* Nine respondents (“the remaining respondents”) remained active in the investigation after every other respondent had been terminated from the investigation based on a consent order, good cause, or else had been found in default. These remaining respondents included Hangzhou Chic Intelligent Co., Ltd. (“Chic”) of Hangzhou, China; Swagway, LLC (“Swagway”) of South Bend, Indiana; Modell’s Sporting Goods, Inc. (“Modell’s”) of New York City, New York; Powerboard a.k.a. Optimum Trading Co. (“Powerboard”) of Hebron, Kentucky; United Integral, Inc. dba Skque Products of Irwindale, California; Alibaba Group Holding Ltd. of Causeway Bay, Hong Kong and Alibaba.com Ltd. of Hangzhou, China (collectively, “Alibaba”); Jetson Electric Bikes LLC (“Jetson”) of New York City, New York; and Newegg, Inc. (“Newegg”) of City of Industry, California. On the same day that the Commission instituted this

investigation, Razor sought reissue of the asserted ’278 patent.

On May 26, 2017, the presiding administrative law judge (“ALJ”) issued a final ID finding no violation of section 337. The ID found that none of the remaining respondents’ accused products infringes the asserted ’278 patent claims, but that all of the defaulting respondents’ accused products infringe the asserted claims based on allegations in the complaint. The ID also found that the technical prong of the domestic industry requirement was not satisfied.

On July 28, 2017, the Commission determined to review (1) the ID’s finding that the Commission has no jurisdiction over Alibaba, and (2) the ID’s analysis of infringement by the defaulting respondents. *See* Comm’n Notice of Review (July 28, 2017). On review, the Commission determined to (1) take no position on the ID’s finding that it has no jurisdiction over Alibaba; and (2) vacate the ID’s infringement finding as to the defaulting respondents as moot in view, *inter alia*, of the domestic industry determination. *Id.* at 3–4. The Commission determined not to review the remainder of the ID and therefore issued its final determination of no Section 337 violation and terminated the investigation. *Id.*

Razor timely appealed the Commission’s final determination to the Federal Circuit. During the appeal, the reissue application was allowed with amended claims that the Commission and Intervenor/respondent Chic argued, via a motion to dismiss, were not “substantially identical” to the original claims on appeal, and therefore the appeal should be dismissed as moot under 35 U.S.C. 252.

On October 16, 2018, the Federal Circuit issued an order and mandate that remanded the investigation to the Commission for further proceedings consistent with its ruling. *See Razor USA LLC v. ITC*, Case No. 2017–2591, Remand Order at 4 (Oct. 16, 2018). Specifically, the Court deemed it appropriate for the Commission to have the first opportunity to determine whether the post-investigation events have rendered the case moot or whether the case may continue either on the original patent claims or reissued claims and to conduct any additional proceedings as necessary. *Id.*

On November 13, 2018, the Commission issued an Order requesting the parties to provide comments concerning what further proceedings are appropriate consistent with the Court’s judgment, including whether the matter should be referred to the ALJ. On November 27, 2018, Razor submitted

comments, six respondents (Chic, Swagway, Modell’s, Jetson, Powerboard, and New Egg) filed a joint submission, and Alibaba filed a separate submission. On December 4, 2018, OUII submitted comments. On December 10, 2018, these parties submitted response comments.

On September 19, 2019, the Commission issued an Order requesting the parties to provide written responses regarding specific questions concerning the effect of the patent reissue. Razor, Jetson, four respondents (Chic, Swagway, Modell’s, and Newegg), and OUII each filed a submission. Each of these parties, except Jetson, filed a reply. On November 18, 2019, Jetson filed a reply to Razor’s reply, but which also addressed Razor’s initial submission. The Commission has determined to accept that submission, but only as to the portion that responds to Razor’s initial submission.

Having examined the record of this investigation, including the Federal Circuit’s Remand Order and the parties’ subsequent briefing, the Commission terminates this investigation as moot pursuant to the Remand Order. The Commission has issued an opinion explaining the basis for the Commission’s determination.

The Commission vote for this determination took place on January 22, 2021.

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: January 22, 2021.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2021–01844 Filed 1–27–21; 8:45 am]

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DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Subcutaneous Drug Development & Delivery Consortium, Inc.

Notice is hereby given that, on January 08, 2021, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (“the Act”), Subcutaneous Drug Development & Delivery Consortium, Inc. (“Subcutaneous Drug Development &