

China; Ningbo Minzhou Import & Export Co., Ltd. (“Ningbo Minzhou”) of Beijing, China; Ruian Xiu Yuan Guoji MaoYi Youxian Gongs Co., Ltd. of Zhejiang, China; Shandong Jiu Hui Xinxi Keji Youxian Gongs Co., Ltd. (“Shangdong Jiu Hui”) of Shandong, China; Shanxi Chao Ma Xun Keji Youxian Gongs Co., Ltd. of Shanxi, China; Shenzhen Baibaikang Technology Co., Ltd. of Guangdong, China; Shenzhen Leadfar Industry Co., Ltd. (“Shenzhen Leadfar”) of Guangdong, China; Shenzhen Shi Mai Rui Ke Dianzi Shangwu Co., Ltd. of Guangdong, China; Shenzhen Shi Xin Shangpin Dianzi Shangwu Youxian Gongs Co., Ltd. (“Shenzhen Shi Xin”) of Guangdong, China; Shenzhen Shi Yan Huang Chu Hai Keji Youxian Gongs Co., Ltd. of Guangdong, China; Shenzhen Shi Yuxiang Meirong Yongju Youxian Gongs Co., Ltd. of Guangdong, China; Shenzhen Tianrun Material Co., Ltd. of Guangdong, China; Wuhan Chenkuxuan Technology Co., Ltd. of Hubei, China; Xiao Dawei of Fujian, China; Xiao Xiao Pi Fa Shang Mao You Xian Ze Ren Gongs Co. of Shanxi, China; YaRu Wang of Shanxi, China; Yiwu Youru E-commerce Co., Ltd. of Zhejiang, China; Zhejiang Xinhui Import & Export Co., Ltd. of Zhejiang, China; and Zhou Meng Bo of Guangdong, China. *Id.* at 56087–88. The Office of Unfair Import Investigations (“OUII”) was also a party to this investigation. *Id.* at 56088.

Five (5) respondents were terminated by withdrawal of allegations in the Complaint pursuant to Order No. 15 (Jan. 10, 2023), *unreviewed* by Comm’n Notice (Feb. 8, 2023). Twenty-five (25) additional respondents were terminated by withdrawal of allegations in the Complaint pursuant to Order No. 19 (Feb. 16, 2023), *unreviewed* by Comm’n Notice (Mar. 20, 2023), *reconsidered in part* by Comm’n Notice (May 19, 2023). Complainant also withdrew its allegations with respect to trade dress infringement, the ‘556 mark, the ‘053 mark, and the D’092 patent pursuant to Order No. 19. *Id.* Seven additional respondents were terminated by consent order pursuant to Order No. 23 (Mar. 30, 2023) (Shenzhen Shi Xin), Order No. 24 (Apr. 3, 2023) (Bedmate-U), Order No. 25 (Apr. 7, 2023) (Henson Holdings), Order No. 26 (Apr. 10, 2023) (Ningbo Minzhou), Order No. 27 (Apr. 12, 2023) (Lei Lei Wang), Order No. 28 (Apr. 13, 2023) (Hetaibao), and Order No. 29 (May 10, 2023) (Ningbo Bolian), *unreviewed* by Comm’n Notice (May 19, 2023).

Dirani Design, Dongguan Jingrui, Hangzhou Lydia, and Shenzhen Leadfar (collectively, the “Defaulting Respondents”) were found in default

pursuant to Order No. 16 (Jan. 11, 2023), *unreviewed* by Comm’n Notice (Feb. 8, 2023), and Order No. 21 (Mar. 8, 2023), *unreviewed* by Comm’n Notice (Mar. 30, 2023).

On March 15, 2023, Complainant filed a motion for summary determination of violation with respect to infringement of certain claims of the ‘837 patent and the ‘445 patent by the Defaulting Respondents. On March 29, 2023, OUII filed a response in support of the motion.

On July 13, 2023, the ALJ issued an Initial Determination granting Complainant’s motion with respect to the ‘445 patent, noted that a finding of violation was unnecessary as to Dirani Design relating to the ‘837 patent because Complainant sought only an LEO, and issued a Recommended Determination on Remedy and Bond (Order No. 31, the “ID” and “RD”). No petitions for review of the ID were filed.

On August 28, 2023, the Commission determined to review the ID in part and to affirm, with modifications, the ALJ’s grant of summary determination of a violation of section 337 by reason of infringement of certain claims of the ‘445 patent by Dongguan Jingrui, Hangzhou Lydia, and Shenzhen Leadfar. 88 FR 60491–94. The Commission requested submissions on remedy, the public interest, and bonding. *Id.*

Complainant filed a public interest statement on August 14, 2023, and a written submission on remedy, the public interest, and bonding on September 11, 2023. OUII filed a written submission on remedy, the public interest, and bonding on September 11, 2023, and a reply submission on remedy, the public interest, and bonding on September 18, 2023.

Having examined the record in this investigation, the Commission has determined pursuant to section 337(g)(1) and Commission Rule 210.16(c) to issue an LEO prohibiting the unlicensed entry of certain pillows and seat cushions, components thereof, and packaging thereof that infringe one or more of claims 1, 3, 4, and 10 of the ‘837 patent that are manufactured abroad by, or on behalf of, or imported by or on behalf of Dirani Design. The Commission has also determined pursuant to section 337(d) to issue a GEO prohibiting the unlicensed entry of certain pillows and seat cushions, components thereof, and packaging thereof that infringe one or more of claims 18, 19, 21–29, and 33 of the ‘445 patent. The Commission has further determined to issue CDOs against Dirani Design, Dongguan Jingrui, Hangzhou Lydia, and Shenzhen Leadfar.

The Commission has determined that the public interest factors enumerated in subsections (d)(1), (f), and (g)(1) of section 337 do not preclude the issuance of the remedial orders. The Commission has further determined that the bond during the period of Presidential review pursuant to section 337(j) (19 U.S.C. 1337(j)) shall be set in the amount of one hundred percent (100%) of the entered value of the imported articles that are subject to the LEO and GEO. The Commission’s remedial orders were delivered to the President and to the United States Trade Representative on the day of their issuance. The investigation is hereby terminated.

While temporary remote operating procedures are in place in response to COVID–19, the Office of the Secretary is not able to serve parties that have not retained counsel or otherwise provided a point of contact for electronic service. Accordingly, pursuant to Commission Rules 201.16(a) and 210.7(a)(1) (19 CFR 201.16(a), 210.7(a)(1)), the Commission orders that the Complainant(s) complete service for any party/parties without a method of electronic service noted on the attached Certificate of Service and shall file proof of service on the Electronic Document Information System (EDIS).

The Commission vote for this determination took place on November 13, 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: November 13, 2023.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2023–25412 Filed 11–16–23; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–472 (Fifth Review)]

Silicon Metal From China; Determination

On the basis of the record¹ developed in the subject five-year review, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of

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

1930 (“the Act”), that revocation of the antidumping duty order on silicon metal from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Background

The Commission instituted this review on May 1, 2023 (88 FR 26595) and determined on August 4, 2023 that it would conduct an expedited review (88 FR 61613, September 7, 2023).

The Commission made this determination pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determination in this review on November 14, 2023. The views of the Commission are contained in USITC Publication 5473 (November 2023), entitled *Silicon Metal from China: Investigation No. 731-TA-472 (Fifth Review)*.

By order of the Commission.

Issued: November 14, 2023.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2023–25469 Filed 11–16–23; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1375]

Certain Mobile Phones, Components Thereof, and Products Containing Same; Notice of Institution of Investigation

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 October 11, 2023, under section 337 of the Tariff Act of 1930, as amended, on behalf of Telefonaktiebolaget LM Ericsson of Sweden. Supplements were filed on October 31, 2023 and November 9, 2023. The complaint 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 mobile phones, components thereof, and products containing same by reason of the infringement of certain claims of U.S. Patent No. 10,425,817 (“the ‘817 patent’”); U.S. Patent No. 10,306,669 (“the ‘669 patent’”); U.S. Patent No. 11,317,342 (“the ‘342 patent’”); and U.S. Patent No. 11,515,893 (“the ‘893 patent’”). The complaint further alleges that an industry in the

United States exists or is in the process of being established as required by the applicable Federal Statute. The complainant requests 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, may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. 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 <https://www.usitc.gov>.

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

SUPPLEMENTARY INFORMATION: Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission’s Rules of Practice and Procedure, 19 CFR 210.10 (2023).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on November 13, 2023, *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 products identified in paragraph (2) by reason of infringement of one or more of claims 10–16 of the ‘817 patent; claims 1–23 of the ‘669 patent; claims 1–18 and 34–40 of the ‘342 patent; and claims 1–12 of the ‘893 patent, and whether an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission’s Rules of Practice and Procedure, 19 CFR 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the

investigation, is “mobile phones and smartphones capable of operating in a 5G network”;

(3) 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 or 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), (g)(1);

(4) 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 complainant is: Telefonaktiebolaget LM Ericsson, Torshamnsgatan 21, Kista, Stockholm, Sweden

(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:

Motorola Mobility LLC, 222 W. Merchandise Mart Plaza, Suite 1800, Chicago, Illinois 60654
Lenovo (United States) Inc., 1009 Think Place, Building One, Morrisville, NC 27560

Lenovo Group Limited, 23rd Floor, Lincoln House, Taikoo Place, 979 King’s Road, Quarry Bay, Hong Kong SAR

Motorola (Wuhan) Mobility Technologies, Communication Co., LTD., 19 Gaoxin 4th Road, Donghu New Technology Development Zone, Hubei 430205 Wuhan, China

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

(5) 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), as amended in 85 FR 15798 (March 19, 2020), such responses will be considered by the Commission if received not later than 20 days after the date of service by the complainant of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint