

documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: On January 16, 2024, the Commission instituted this investigation based on a complaint filed by Future Motion, Inc. of Santa Cruz, California ("Future Motion," or "Complainant"). 89 FR 2644-45 (Jan. 16, 2024). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, or sale within the United States after importation of certain self-balancing electric skateboards and components thereof by reason of infringement of one or more of claims 1, 2, 4-6, 8-10, 13-15, and 17-19 of U.S. Patent No. 9,400,505 ("the '505 patent"). *Id.* at 2644. The Commission's notice of investigation named as respondents Floatwheel; Changzhou Smilo Motors Co., Ltd. of Changzhou, Jiangsu Province, China ("Smilo"); Changzhou Gaea Technology Co., Ltd. of Changzhou, Jiangsu, China ("Gaea"); and Shanghai Loyal Industry Co., Ltd., d/b/a "SoverSky" of Shanghai, China ("SoverSky"). *Id.* at 2645. The Office of Unfair Import Investigations was also named as a party in this investigation. *Id.*

On March 12, 2024, Complainant moved to withdraw its complaint and terminate this investigation with respect to respondents Smilo, Gaea, and SoverSky. Motion Docket No. 1386-06 (EDIS Doc. ID 815981). On March 13, 2024, the ALJ granted the unopposed motion. Order No. 13 (Mar. 13, 2024); *unreviewed by* Notice (April 12, 2024).

The complaint and notice of investigation were served on Floatwheel on January 17, 2024. *See* Order No. 8 at 5 (Feb. 6, 2024). Floatwheel failed to respond to the complaint and notice of investigation.

On February 23, 2024, the presiding ALJ issued Order No. 10, ordering, *inter alia*, Floatwheel to show cause why it should not be found in default and why judgment should not be rendered against it for failing to respond to the complaint and notice of investigation.

No response was filed to the show cause order.

On March 13, 2024, the ALJ issued an ID (Order No. 15) finding Floatwheel in default under Commission Rule 210.16 (19 CFR 210.16). On April 12, 2024, the Commission determined not to review and issued a **Federal Register** Notice to that effect. 89 FR 27450-27451 (Apr. 17, 2024). The Commission also requested briefing from the parties and the public on the issues of remedy, the public interest, and bonding. *Id.* at 42938.

The Commission has determined that the appropriate form of relief in this investigation is an LEO prohibiting the unlicensed entry of self-balancing electric skateboards and components thereof by reason of the infringement of one or more of claims 1, 2, 4-6, 8-10, 13-15, and 17-19 of the '505 patent and that are manufactured abroad by or on behalf of, or imported by or on behalf of, Respondent. The Commission has further determined that the public interest factors enumerated in section 337(g)(1) (19 U.S.C. 1337(g)(1)) do not preclude issuance of the LEO. The Commission has determined that the bond for importation during the period of Presidential review shall be in the amount of one hundred percent (100%) of the entered value of the imported subject articles of Respondent.¹ The Commission's order was delivered to the President and the United States Trade Representative on the day of the issuance.

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: June 20, 2024.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2024-13968 Filed 6-25-24; 8:45 am]

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¹ Chairman Schmidlein finds that section 337 does not authorize respondents subject to remedial relief under subsection 337(g)(1) to import infringing products under bond during the Presidential review period for the reasons explained in *Certain Centrifuge Utility Platform and Falling Film Evaporator Systems and Components Thereof*, Inv. No. 337-TA-1311, Comm'n Notice at 5, n.5 (March 23, 2023). She therefore would not permit Floatwheel to import infringing products under bond during the Presidential review period.

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1334 (Enforcement)]

Certain Raised Garden Beds and Components Thereof; Notice of Institution of Formal Enforcement Proceeding

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission ("Commission") has determined to institute a formal enforcement proceeding relating to the limited exclusion order ("LEO") and cease and desist order ("CDO") issued on March 21, 2024, in the above-referenced investigation.

FOR FURTHER INFORMATION CONTACT:

Edward S. Jou, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-3316. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.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 the underlying investigation on October 19, 2022, based on an amended complaint filed by Vego Garden, Inc. of Houston, Texas ("Vego Garden"). 87 FR 63527-28 (Oct. 19, 2022). The Commission determined to investigate alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, and in the sale of, certain raised garden beds and components thereof by reason of misappropriation of trade secrets and unfair competition, the threat or effect of which is to destroy or substantially injure a domestic industry. *Id.* at 63527.

The Commission's notice of investigation named five respondents, and the name of one of the respondents was corrected by amendment. *See* 88 FR 2637-38 (Jan. 17, 2023). The five named respondents, as amended, were: Huizhou Green Giant Technology Co., Ltd. ("Green Giant") of Guangdong,

China; Utopban International Trading Co., Ltd. d/b/a Vegega (“Utopban International”) of Rosemead, California; Utopban Limited (“Utopban”) of Hong Kong; Forever Garden of El Monte, California; and VegHerb, LLC d/b/a Frame It All (“VegHerb”) of Cary, North Carolina. *See id.* at 2638. The Office of Unfair Import Investigations (“OUII”) was also named as a party. *Id.*

The investigation was terminated as to Utopban International based on withdrawal of the complaint’s allegations. Order No. 9 (Jan. 30, 2023), *unreviewed by Comm’n Notice* (Feb. 27, 2023). The investigation was terminated as to Forever Garden and VegHerb based on settlement agreements. Order No. 11 (Feb. 23, 2023) (VegHerb) and Order No. 12 (Feb. 23, 2023) (Forever Garden), *both unreviewed by Comm’n Notice* (Mar. 23, 2023).

The presiding Administrative Law Judge issued a final initial determination (the “Final ID”) on September 8, 2023, finding a violation of section 337 based on trade secret misappropriation and false advertising.

On January 9, 2024, the Commission determined to review the Final ID’s findings in part. 89 FR 2645–47 (Jan. 16, 2024). On March 21, 2024, the Commission affirmed-in-part and reversed-in-part the Final ID, finding a violation of section 337 based on trade secret misappropriation and false advertising. 89 FR 21270–71 (Mar. 27, 2024). On the same day, the Commission issued an opinion explaining the basis for its final determination and issued a LEO for Green Giant and Utopban and a CDO for Utopban. *Id.*

On May 21, 2024, complainant Vego Innovations, Inc. f/k/a Vego Garden (“Vego”) filed a complaint (the “Enforcement Complaint”) requesting that the Commission institute an enforcement proceeding to investigate alleged violations of the LEO and CDO by Green Giant and Utopban d/b/a Vegega. In the Enforcement Complaint, Vego alleges that Green Giant and Utopban have continued to import, sell, offer for sale, market, advertise, distribute, transfer, and/or solicit agents or distributors for products that are manufactured using a misappropriated trade secret.

Having examined the Enforcement Complaint and the supporting documents, the Commission has determined to institute a formal enforcement proceeding, pursuant to Commission Rule 210.75(a) (19 CFR 210.75(a)), to determine whether a violation of the LEO and CDO, issued on March 21, 2024, in this investigation has occurred and to determine what, if any,

enforcement measures are appropriate. The named respondents are Huizhou Green Giant Technology Co., Ltd. of Guangdong, China and Utopban Limited d/b/a Vegega of Hong Kong.

The Commission vote for this determination took place on June 20, 2024.

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: June 20, 2024.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2024–13971 Filed 6–25–24; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–699–702 and 731–TA–1659–1660 (Final)]

Frozen Warmwater Shrimp From Ecuador, India, Indonesia, and Vietnam; Scheduling of the Final Phase of Countervailing Duty and Antidumping Duty Investigations

AGENCY: International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of the final phase of antidumping and countervailing duty investigation Nos. 701–TA–699–702 and 731–TA–1659–1660 (Final) pursuant to the Tariff Act of 1930 (“the Act”) to determine whether an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of frozen warmwater shrimp from Ecuador, India, Indonesia, and Vietnam, provided for in subheadings 0306.17.00, 1605.21.10, and 1605.29.10 of the Harmonized Tariff Schedule of the United States, preliminarily determined by the Department of Commerce (“Commerce”) to be subsidized and sold at less-than-fair-value.

DATES: May 30, 2024.

FOR FURTHER INFORMATION CONTACT: Calvin Chang ((202) 205–3062), 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 (<https://www.usitc.gov>). The public record for these investigations may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Scope.—For purposes of these investigations, Commerce has defined the subject merchandise as certain frozen warmwater shrimp and prawns whether wild-caught (ocean harvested) or farm-raised (produced by aquaculture), head-on or head-off, shell-on or peeled, tail-on or tail-off, deveined or not deveined, cooked or raw, or otherwise processed in frozen form. “Tails” in this context means the tail fan, which includes the telson and the uropods. The frozen warmwater shrimp and prawn products included in the scope, regardless of definitions in the Harmonized Tariff Schedule of the United States (HTSUS), are products which are processed from warmwater shrimp and prawns through freezing and which are sold in any count size.

The products described above may be processed from any species of warmwater shrimp and prawns. Warmwater shrimp and prawns are generally classified in, but are not limited to, the Penaeidae family. Some examples of the farmed and wild-caught warmwater species include, but are not limited to, whiteleg shrimp (*Penaeus vannamei*), banana prawn (*Penaeus merguensis*), fleshy prawn (*Penaeus chinensis*), giant river prawn (*Macrobrachium rosenbergii*), giant tiger prawn (*Penaeus monodon*), redspotted shrimp (*Penaeus brasiliensis*), southern brown shrimp (*Penaeus subtilis*), southern pink shrimp (*Penaeus notialis*), southern rough shrimp (*Trachypenaeus curvirostris*), southern white shrimp (*Penaeus schmitti*), blue shrimp (*Penaeus stylirostris*), western white shrimp (*Penaeus occidentalis*), and Indian white prawn (*Penaeus indicus*).

Frozen shrimp and prawns that are packed with marinade, spices or sauce are included in the scope. In addition, food preparations, which are not “prepared meals,” that contain more than 20 percent by weight of shrimp or prawn are also included in the scope.

Excluded from the scope are: (1) breaded shrimp and prawns (HTSUS subheading 1605.21.1020); (2) shrimp