

**UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C. 20436**

In the Matter of

**CERTAIN ENDOSCOPIC PROBES FOR
USES IN ARGON PLASMA
COAGULATION SYSTEMS**

Investigation No. 337-TA-569

**NOTICE OF A COMMISSION DETERMINATION TO REASSIGN THE
INVESTIGATION TO ADMINISTRATIVE LAW JUDGE ROBERT L. BARTON, JR.**

AGENCY: U.S. International Trade Commission

ACTION: Notice

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to reassign the above-captioned investigation from administrative law judge Sidney Harris to administrative law judge Robert L. Barton, Jr.

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., telephone 202-708-2310, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436. Copies of all nonconfidential documents filed in connection with this investigation are or 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 SW., 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-ON-LINE) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on May 16, 2006, based on a complaint filed by ERBE Elektromedizin GmbH of Germany. 71 *Fed. Reg.* 28386. A supplement to the complaint was filed on May 2, 2006. The complaint, as supplemented, alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain endoscopic probes for use in argon plasma coagulation systems by reason of infringement of claims 1, 3, 4, 11, 13, 35, 37, 38, 39, and 41 of U.S. Patent No. 5,720,745; and of infringement of U.S. Supplemental Trademark Registration No. 2,637,630. The supplemented complaint named three

respondents: Canady Technology, LLC of Hampton, VA; Canady Technology Germany GmbH of Germany; and KLS Martin GmbH & Co. KG (“KLS”) of Germany. The complaint further alleged that an industry in the United States exists as required by subsection (a)(2) of section 337.

On October 3, 2006, the Commission issued notice that it had determined not to review an Initial Determination terminating the investigation as to KLS on the basis of a settlement agreement.

At institution, the Commission assigned this investigation to administrative law judge Sidney Harris. The Commission has determined to reassign this investigation to administrative law judge Robert L. Barton, Jr.

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 section 210.3 of the Commission’s Rules of Practice and Procedure (19 U.S.C. § 210.3).

By order of the Commission.

/S/

Marilyn R. Abbott
Secretary

Issued: December 29, 2006