

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

In the Matter of)
)
)
CERTAIN AUTOMOTIVE MEASURING DEVICES,)
PRODUCTS CONTAINING SAME, AND) **Inv. No. 337-TA-494**
BEZELS FOR SUCH DEVICES)
)

**NOTICE OF COMMISSION DETERMINATION TO ACCEPT AS TIMELY
COMPLAINANT’S PETITION FOR REVIEW OF THE PRESIDING ADMINISTRATIVE
LAW JUDGE’S ORDERS NOS. 41 AND 42;
COMMISSION DETERMINATION TO GRANT THE COMMISSION INVESTIGATIVE
ATTORNEY’S REQUEST FOR A THREE-DAY EXTENSION OF TIME TO RESPOND
TO COMPLAINANT’S PETITION FOR REVIEW**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to accept as timely complainant Auto Meter Products, Inc.’s (“Auto Meter”) petition for review of Orders Nos. 41 and 42, and to grant the Commission investigative attorney’s (“IA”) request for a three day-extension of time to respond to complainant’s petition for review (i.e., until October 7, 2004). The Commission will determine whether to review the subject orders by November 1, 2004.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3115. Copies of the public version of the IDs and 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, S.W., Washington, D.C. 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. 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) at <http://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on June 20, 2003, based on a complaint filed by Auto Meter Products, Inc. (“Auto Meter”) of Sycamore, Illinois.

68 *Fed. Reg.* 37023. The complaint alleged violations of section 337 of the Tariff Act of 1930 in the importation and sale of certain automotive measuring devices, products containing same, and bezels for such devices, by reason of infringement of U.S. Registered Trademark Nos. 1,732,643 and 1,497,472, and U.S. Supplemental Register No. 1,903908, and infringement of the complainant's trade dress. The complaint alleged that twelve respondents violated section 337. Subsequently, seven more firms were added as respondents.

On September 15, 2004, the ALJ issued the subject orders. Order No. 41 denied complainant's motion for summary determination with respect to domestic industry, injury and violation of section 337. Order No. 42 terminated the investigation both as to respondent GSN Automotive, Inc. ("GSN") (on the basis of a settlement agreement and consent order), and in its entirety.

On September 27, 2004, Auto Meter filed a petition for review of the subject orders.

On September 29, 2004, the Commission investigative attorney ("IA") requested clarification as to whether the Commission is accepting Auto Meter's petition for review and, if so, requested a three-day extension of time in which to respond.

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 210.42 of the Commission's Rules of Practice and Procedure (19 C.F.R. 210.42).

By order of the Commission.

Marilyn R. Abbott
Secretary to the Commission

Issued: October 1, 2004