

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

In the Matter of)	
)	
CERTAIN BEARINGS AND)	Inv. No. 337-TA-469
PACKAGING THEREOF)	
)	

NOTICE OF COMMISSION DECISION NOT TO REVIEW TWO INITIAL DETERMINATIONS, EACH FINDING A RESPONDENT IN DEFAULT FOR FAILURE TO COOPERATE IN DISCOVERY

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review two initial determinations (IDs) (Order Nos. 103 and 104) by the presiding administrative law judge (ALJ), each finding a respondent in default for failure to participate in discovery pursuant to Commission rule 210.16(a)(2).

FOR FURTHER INFORMATION CONTACT: Jean Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3104. Copies of the ALJ's ID and all other 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. 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://dockets.usitc.gov/eol/public>. 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 April 16, 2002, based on a complaint filed by SKF USA, Inc. (SKF) of Norristown, PA against various respondents including Seal Pack Corporation (Seal Pack) and R.F. Wolters (Wolters). *67 Fed. Reg.* 18632 (2002). The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930 in the importation into the United States, sale for importation, and sale within the United States after importation of certain bearings by reason of infringement of registered and common law trademarks, dilution of trademarks, various acts in violation of the Lanham Act, and passing off. A count concerning unfair pecuniary benefits was dismissed by the Commission on September 23, 2002.

On January 14, 2003, the presiding ALJ issued Order No. 103, finding respondent Seal Pack in default for failure to cooperate in discovery pursuant to Commission rule 210.16 (a)(2), 19 C.F.R. § 210.16(a)(2) . Also on January 14, 2003, the ALJ issued Order No. 104, finding respondent Wolters similarly in default for failure to cooperate in discovery. No petitions for review of either ID were filed.

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

Issued: February 10, 2003