

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

_____)
In the Matter of)

)
CERTAIN LAMINATED)
FLOOR PANELS)
_____)

Inv. No. 337-TA-545

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION
AS TO TEN PATENT CLAIMS**

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 an initial determination (“ID”) of the presiding administrative law judge (“ALJ”) terminating the above-captioned investigation as to claims 13, 19, 22, and 24 of U.S. Patent No. 6,490,836 (“the ‘836 patent”), claims 1, 2, 5, and 6 of U.S. Patent No. 6,874,292 (“the ‘292 patent”), and claims 1 and 13 of U.S. Patent No. 6,928,779 (“the ‘779 patent”).

FOR FURTHER INFORMATION CONTACT: Michael K. Haldenstein, Esq., telephone 202-205-3041, 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 August 3, 2005, based on a complaint filed by Unilin Beheer B.V. of the Netherlands, Flooring Industries Ltd. of Ireland, and Unilin Flooring N.C. LLC of Thomasville, North Carolina. *70 Fed. Reg.* 44694 (2005).

The complaint (as amended) alleged violations of section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, as amended, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain laminated floor panels by reason of infringement of one or more of claims 1, 14, 17, 19- 21, 37, 52, 65, and 66 of U.S. Patent No. 6,006,486, claims 1, 2, 10, 13, 18, 19, 22- 24, and 27 of the ‘836 patent, claims 1-6 of the ‘292 patent, and claims 1, 5, 13, 17, 27, and 28 of the ‘779 patent. The complaint further alleged that an industry in the United States exists as

required by subsections (a)(2) and (a)(3) of section 337. The complainants requested that the Commission issue a general exclusion order and cease and desist orders. The Commission named as respondents 32 companies located in Canada, China, Malaysia, South Korea, and the United States. *Id.* The ALJ set October 3, 2006, as the target date for completion of the investigation.

On March 23, 2006, complainants filed a motion to terminate the investigation with respect to claims 13, 19, 22, and 24 of the '836 patent, claims 1, 2, 5, and 6 of the '292 patent, and claims 1 and 13 of the '779 patent. No party opposed the motion.

On April 3, 2006, the ALJ issued the subject ID that grants complainants' motion and terminates the investigation with respect to the ten claims of the three patents. The Commission has determined not to review the subject ID.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and 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: April 24, 2006