

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

**In the Matter of**

**CERTAIN CIGARETTES AND  
PACKAGING THEREOF**

**Inv. No. 337-TA-643**

**NOTICE OF INVESTIGATION**

AGENCY: U.S. International Trade Commission

ACTION: Institution of investigation pursuant to 19 U.S.C. § 1337

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on March 5, 2008, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Philip Morris USA Inc. of Richmond, Virginia. A supplement to the complaint was filed on March 26, 2008. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain cigarettes and packaging thereof that infringe U.S. Trademark Registration Nos. 68,502; 938,510; 1,039,412; 1,544,782; 1,651,628; 378,340; 865,627; 1,164,854; 894,450; 912,374; 912,375; 1,227,743; 1,897,685; and 1,602,699. The complaint, as supplemented, further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue an exclusion order and cease and desist orders.

ADDRESSES: The complaint and supplement, except for any confidential information contained therein, are 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., Room 112, Washington, D.C. 20436, telephone 202-205-2000. Hearing impaired individuals are advised that information on this matter can be obtained 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 at <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>.

FOR FURTHER INFORMATION CONTACT: Kecia J. Reynolds, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2580.

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.10 (2007).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on March 31, 2008, ORDERED THAT –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(C) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain cigarettes and packaging thereof by reason of infringement of one or more of U.S. Trademark Registration Nos. 68,502; 938,510; 1,039,412; 1,544,782; 1,651,628; 378,340; 865,627; 1,164,854; 894,450; 912,374; 912,375; 1,227,743; 1,897,685; and 1,602,699, and whether an industry in the United States exists as required by subsection (a)(2) of Section 337; and

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is –

Philip Morris USA Inc.  
6601 West Broad Street  
Richmond, Virginia 23230

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

G.K.L. International SRL d.b.a. all-cigarettes-brands.com  
M. Costin Str., 7  
Chisinau, MD-2068  
Moldova

Emarket Systems Ltd. d.b.a. all-discount-cigarettes.com  
7 Craig St.  
Belize City  
Belize

Jamen Chong d.b.a. Asiadfs.com  
BLK 162  
#02- 110  
Bukit Batok, Street 11  
650162, Singapore

Tri-kita d.b.a. Cheapcigarettes4all.com  
Mr. Andrey Schvedov  
Kosmonavtov104a  
Nikolaev, NA 54001  
Ukraine

Mr. Eduard Lee d.b.a. Cigarettesonlineshop.com  
Kyrgyz-Israel Joint Enterprise Master  
Prospect Mira 303  
Bishkek, Kyrgyzstan 720001  
Kyrgyzstan

Zonitech Properties Limited d.b.a. Cigline.net  
Suite 31, Don House  
30-38 Main Street  
Gibraltar

Eugenia Moskovchuk d.b.a. Cigoutlet.biz  
Alcesia SRL  
Str. Damian L.28  
Chisinau, MD-2059  
Moldova

Best Products Solution Limited d.b.a. Dirtcheapbutts.com  
Suite B, 28 Harley Street  
London W1G 9QR  
United Kingdom

Cendano d.b.a. Galastore.com  
Suite 2, Portland House  
Glacis Road  
Gibraltar 34203  
Gibraltar

LMB Trading SA d.b.a. k2smokes.ch  
Vicolo Maderno 3,  
Bissone, CH-6816  
Switzerland

Ms. Svetlana Trevinska d.b.a. Save-on-cigarettes.com  
312 Spaska  
43667 Kiev  
Ukraine

Zonitech Properties Limited d.b.a. Shopping-heaven.com  
Suite 31, Don House  
30-38 Main Street  
Gibraltar

G.K.L. International SRL d.b.a. smokerjim.net  
M. Costin Str., 7  
Chisinau, MD-2069, Moldova

(c) The Commission investigative attorney, party to this investigation, is Kecia J. Reynolds, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(3) For the investigation so instituted, the Honorable Paul J. Luckern is designated as the presiding administrative law judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.13. Pursuant to 19 C.F.R. §§ 201.16(d) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or cease and desist orders or both directed against the respondent.

By order of the Commission.

/s/  
Marilyn R. Abbott  
Secretary to the Commission

Issued: April 1, 2008