

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

In the Matter of)

CERTAIN LENS-FITTED FILM PACKAGES)

Inv. No. 337-TA-406,
Enforcement Proceedings II

**NOTICE OF COMMISSION DETERMINATION TO EXTEND
DEADLINE FOR DETERMINING WHETHER TO REVIEW AN
ENFORCEMENT INITIAL DETERMINATION**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to extend by 21 days *i.e.*, until July 27, 2004, the deadline for determining whether to review an enforcement initial determination issued by the presiding administrative law judge (“ALJ”) on April 6, 2004, in the above-captioned proceedings.

FOR FURTHER INFORMATION CONTACT: Jean Jackson, Esq., telephone 202-205-3104, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., 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) 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 at 202-205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on March 25, 1998, based on a complaint by Fuji Photo Film Co., Ltd. (“Fuji”) of Tokyo, Japan, alleging unfair acts in violation of section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, by several respondents in the importation and sale of certain lens-fitted film packages, *i.e.*, disposable cameras, that infringed one or more claims of 15 U.S. patents held by complainant Fuji. On June 2, 1999, the Commission terminated the investigation, finding a violation of section 337 by 26 respondents by reason of importation or sales after importation of LFFPs that were found to infringe one or more claims of the patents in issue. 64 *Fed. Reg.* 30,541 (June 8, 1999). The Commission issued a general exclusion order prohibiting the importation of LFFPs that infringe

any of the claims at issue. Jazz Photo Corp. (Jazz) was a respondent in the original investigation, and was found in violation of section 337. The Commission issued a cease and desist order to Jazz that prohibited Jazz from importing or selling disposable cameras that infringe Fuji's patents.

On September 24, 2002, the Commission initiated enforcement proceedings at the request of complainant Fuji under Commission rule 210.75(b), 19 C.F.R. § 210.75(b), to determine whether respondent Jazz and/or two individuals associated with Jazz, Jack Benun and Anthony Cossentino, were in violation of the general exclusion order and/or the cease and desist order that issued to Jazz at the conclusion of the original investigation. The proceedings were referred to the ALJ for issuance of an enforcement initial determination (EID).

On April 6, 2004, the ALJ issued his EID. Fuji, Jazz, Benun and Cossentino filed petitions for review of the EID on April 22, 2004. Those parties, as well as the Commission investigative attorneys, filed responses to the petitions for review on May 10, 2004.

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 210.75(b)(3) of the Commission's Rules of Practice, 19 C.F.R. § 210.75(b)(3).

By order of the Commission.

Marilyn R. Abbott
Secretary to the Commission

Issued: June 28, 2004