

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

In the Matter of

**CERTAIN MUZZLE-LOADING
FIREARMS AND COMPONENTS
THEREOF**

Investigation No. 337-TA-777

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING AN UNOPPOSED MOTION FOR
PARTIAL TERMINATION OF THE INVESTIGATION**

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”) (Order No. 7) issued by the presiding administrative law judge (“ALJ”) granting an unopposed motion for partial termination of the investigation with respect to certain patent claims.

FOR FURTHER INFORMATION CONTACT: Jia Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-4737. Copies of non-confidential 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 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>. 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 June 17, 2011, based on a complaint and motion for temporary relief filed Thompson/Center Arms Company, Inc. (“Thompson”) and Smith & Wesson Corp., both of Springfield, Massachusetts. 76 *Fed. Reg.* 35469 (Jun. 17, 2011). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain muzzle-loading firearms and components thereof by reason of infringement of certain claims of U.S. Patent No. 7,908,781 (“the ‘781 patent’”); U.S. Patent No. 7,814,694 (“the ‘694 patent’”); U.S.

Patent No. 7,140,138 (“the ‘138 patent”); U.S. Patent No. 6,604,311 (“the ‘311 patent”); U.S. Patent No. 5,782,030 (“the ‘030 patent”); and U.S. Patent No. 5,639,981 (“the ‘981 patent”). The complaint named the following respondents: Dikar Sociedad Cooperativa Limitada of Bergara, Spain; Bergara Barrels Europe of Bergara, Spain; Blackpower Products Inc. of Duluth, GA; Connecticut Valley Arms of Duluth, GA; Bergara Barrels North America of Duluth, GA; Ardesa Firearms of Zamudio-Vizcoya, Spain; and Traditional Sporting Goods, Inc. of Old Saybrook, CT. The motion for temporary relief requested that the Commission issue a temporary limited exclusion order and temporary cease and desist order prohibiting the importation into and the sale within the United States after importation of certain muzzle-loading firearms and components thereof that infringe claim 11 of the ‘781 patent; claims 1-3 and 10-12 of the ‘694 patent; claims 19 and 20 of the ‘138 patent; claims 1 and 6 of the ‘311 patent; claims 1-5 of the ‘030 patent; and claims 1 and 2 of the ‘981 patent.

On July 1, 2011, complainant Thompson filed a motion before the ALJ for partial termination of the investigation with respect to the ‘781 patent and the ‘138 patent. Respondents and the Commission investigative attorney did not oppose the motion.

On July 8, 2011, the ALJ issued the subject ID, granting Thompson’s unopposed motion. No petitions for review were filed.

The Commission has determined not to review the subject ID.

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 Part 210 of the Commission’s Rules of Practice and Procedure (19 C.F.R. Part 210).

By order of the Commission.

James R. Holbein
Secretary to the Commission

Issued: