

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

In the Matter of

**CERTAIN GROUND FAULT CIRCUIT
INTERRUPTERS AND PRODUCTS
CONTAINING SAME**

Investigation No. 337-TA-739

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING A JOINT MOTION TO TERMINATE THE
INVESTIGATION AS TO RESPONDENTS HARBOR FREIGHT TOOLS USA, INC.
AND CENTRAL PURCHASING, LLC BASED ON A SETTLEMENT AGREEMENT**

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. 58) issued by the presiding administrative law judge (“ALJ”) granting a joint motion to terminate the above-captioned investigation as to respondents Harbor Freight Tools USA, Inc. (“Harbor Freight”) and Central Purchasing, LLC (“Central Purchasing”) based on a settlement agreement.

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 October 8, 2010, based on a complaint filed by Leviton Manufacturing Co. (“Leviton”) of Melville, NY. 75 Fed. Reg. 62420 (Oct. 8, 2010). 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 ground fault circuit interrupters and products containing the same by reason of infringement of various claims of United States Patent Nos. 7,463,124; 7,737,809; and 7,764,151. The Commission’s notice of investigation named numerous respondents, including respondents Harbor Freight and Central Purchasing, both of Camarillo, California.

On July 21, 2011, Leviton, Harbor Freight, and Central Purchasing filed a joint motion pursuant to Commission Rule 210.21(a)(2) to terminate the investigation with respect to Harbor Freight and Central Purchasing on the basis of a settlement agreement. On July 22, 2011, the Commission investigative attorney filed a response supporting the joint motion. The remaining active respondents indicated that they take no position on the motion.

On July 25, 2011, the ALJ issued the subject ID granting the joint motion. The ALJ found that the joint motion met the requirements under Commission Rule 210.21(b)(1) and that termination is in the public interest. No petitions for review were filed.

The Commission has determined not to review the subject ID and to issue the subject consent order with an appropriate redaction.

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.

/s/
William R. Bishop
Acting Secretary to the Commission

Issued: August 12, 2011