

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

In the Matter of

**CERTAIN PROTECTIVE CASES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-780

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING A JOINT MOTION TO TERMINATE THE
INVESTIGATION AS TO RESPONDENTS ONE STEP UP LTD. D/B/A LIFEWORKS
TECHNOLOGY GROUP, LLC AND INMOTION ENTERTAINMENT BASED UPON
CONSENT ORDER STIPULATION AND SETTLEMENT AGREEMENT;
ISSUANCE OF A CONSENT ORDER.**

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 the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 8) granting a joint motion to terminate Respondents One Step Up Ltd. d/b/a Lifeworks Technology Group, LLC and InMotion Entertainment from the investigation based upon execution of a settlement agreement and entry of a consent order.

FOR FURTHER INFORMATION CONTACT: Panyin A. Hughes, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3042. 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 30, 2011, based on a complaint filed by Otter Products, LLC of Fort Collins, Colorado ("Otter"). 76 *Fed. Reg.* 38417 (June 30, 2011). The complaint alleged violations of section 337 of the Tariff Act of 1930 (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 protective cases and components thereof by reason of infringement of various claims of United States Patent Nos.

7,933,122; D600,908; D617,784; D615,536; D617,785; D634,741; and D636,386; and United States Trademark Registration Nos. 3,788,534; 3,788,535; 3,623,789; and 3,795,187. The complaint named several respondents, including One Step Up Ltd. d/b/a Lifeworks Technology Group, LLC of New York, New York (“Lifeworks”) and InMotion Entertainment of Jacksonville, Florida (“InMotion”).

On August 5, 2011, Otter and Respondents Lifeworks and InMotion filed a joint motion to terminate the investigation as to Lifeworks and InMotion based upon the execution of a settlement agreement and the entry of a consent order. On August 17, 2011, the Commission investigative attorney filed a response in support of the motion. No other responses to the motion were filed.

On August 29, 2011, the ALJ issued the subject ID, granting the joint motion to terminate Lifeworks and InMotion from the investigation. The ALJ found that the parties complied with Commission Rule 210.21(b) (19 C.F.R. § 210.21(b)) as to the settlement agreement and that the consent order stipulation complies with the requirements of Commission Rule 210.21(c)(3) (19 C.F.R. § 210.21(c)(3)). The ALJ also found that terminating Lifeworks and InMotion from the investigation would not be contrary to the public interest. None of the parties petitioned for review of the ID.

The Commission has determined not to review the ID and to issue a consent order. Accordingly, this investigation is terminated with respect to Lifeworks and InMotion.

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 section 210.42 of the Commission’s Rules of Practice and Procedure (19 C.F.R. § 210.42).

By order of the Commission.

/s/
James R. Holbein
Secretary to the Commission

Issued: September 19, 2011

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