

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

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

Inv. No. 337-TA-739

**NOTICE OF COMMISSION DETERMINATION TO DENY A MOTION TO STAY
ENFORCEMENT OF THE COMMISSION'S REMEDIAL ORDERS**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to deny a motion filed by respondents Zhejiang Trimone Electric Science & Technology Co. Ltd., of Zhejiang, China, and Fujian Hongan Electric Co, Ltd., of Fujian, China, to stay the general exclusion order and cease and desist orders issued by the Commission in the above-referenced investigation.

FOR FURTHER INFORMATION: Clark S. Cheney, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-2661. 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 (<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 and an amended complaint filed by Leviton Manufacturing Co., Inc., of Melville, New York ("Leviton"). *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 certain claims of U.S. Patent Nos. 7,463,124 ("the '124 patent"); 7,737,809 ("the '809 patent"); and 7,764,151 ("the '151 patent"). The notice of investigation named numerous respondents, including Zhejiang Trimone Electric Science & Technology Co. Ltd., of Zhejiang, China ("Trimone") and Fujian Hongan Electric Co, Ltd., of Fujian, China ("Hongan").

On April 27, 2012, the Commission issued its final determination finding that Leviton had proven a violation of section 337 based on infringement of the '809 patent but had not proven a violation based on infringement of the '124 and '151 patents. The Commission issued a general exclusion order against ground fault circuit interrupters that infringe the '809 patent and cease and desist orders against certain respondents. The Commission's remedial orders allowed entry under bond during the Presidential review period.

On May 10, 2012, respondents Trimone and Hongan filed a motion with the Commission seeking to stay the Commission's remedial orders pending appeal to the United States Court of Appeals for the Federal Circuit. On May 21, 2012, Leviton and the Commission investigative attorneys filed oppositions to the motion.

Having considered the relevant portions of the record, the Commission has determined to deny the motion, as indicated in the accompanying order.

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.



Lisa R. Barton
Acting Secretary to the Commission

Issued: July 5, 2012