UNITED STATES INTERNATIONAL TRADE COMMISSION Washington, DC 20436

In the Matter of

CERTAIN DEVICES HAVING ELASTOMERIC GEL AND COMPONENTS THEREOF

Investigation No. 337-TA-732

NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL DETERMINATION FINDING RESPONDENT SATISTIC, LLC IN DEFAULT

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. 17) of the presiding administrative law judge ("ALJ") in the above-captioned investigation finding respondent Satistic, LLC in default.

FOR FURTHER INFORMATION CONTACT: Mark B. Rees, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW, Washington, DC 20436, telephone (202) 205-3116. 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, SW, Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <u>http://www.usitc.gov</u>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <u>http://edis.usitc.gov</u>. 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 August 4, 2010, based on the complaint, as supplemented, of Interactive Life Forms, LLC of Austin, Texas ("ILF"). 75 *Fed. Reg.* 47027 (Aug. 4, 2010). The complaint alleges violations of section 337 of the Tariff Act of 1930 as amended (19 U.S.C. § 1337), based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain devices having elastomeric gel and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 5,782,818 and 5,807,360. The complaint originally named 26 respondents, including Satistic, LLC of Las Vegas, Nevada ("Satistic"), and was later amended, as was the notice of investigation, to add two respondents and correct the identification of two others. 75 *Fed. Reg.* 64742 (Oct. 20, 2010). To date, 20 respondents have

been terminated from the investigation -19 based on consent order stipulations and consent orders and one based on a settlement agreement.

On September 15, 2010, ILF filed a motion under Commission rule 210.16 for an order directing Satistic to show cause why it should not be held in default for failing to respond to the complaint and notice of investigation and, in the event Satistic failed to show such cause, for an initial determination of default against it. The Commission investigative attorney filed a response in support of the motion on September 23, 2010. No objections were filed. On September 29, 2010, the ALJ issued Order No. 11 ordering Satistic to show cause no later than October 13, 2010, why it should not be held in default.

Satistic failed to respond to Order No. 11. On November 17, 2010, the ALJ issued the subject ID, finding Satistic in default under Commission rule 210.16. No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and Commission Rules 210.21, 210.42 (19 C.F.R. §§ 210.21, 210.42).

By order of the Commission.

/s/ Marilyn R. Abbott Secretary to the Commission

Issued: December 8, 2010