

proceeding under Commission Rule 210.75, and filed a corrected complaint on March 22, 2012. On April 25, 2012, the Commission determined that the criteria for institution of an enforcement proceeding were satisfied and instituted an enforcement proceeding, naming the following six respondents, which were alleged to be bound by the consent order: ClearCorrect Operating, LLC of Houston, Texas; ClearCorrect Pakistan (Private), Ltd. of Lahore, Pakistan; and Mudassar Rathore, Waqas Wahab, Nadeem Arif, and Asim Waheed (“Enforcement Respondents”). 77 *Fed. Reg.* 25747 (May 1, 2012).

On November 28, 2012, the ALJ issued Order No. 57, and found that the accused digital datasets at issue in the enforcement proceeding fall within the scope of the term “articles” in the consent order. On January 4, 2013, the Commission determined to review and reverse Order No. 57. 78 *FR* 2282–83 (Jan. 10, 2013). The Commission terminated the enforcement proceeding with a finding of no violation of the consent order. *Id.* Upon Align’s appeal, the Federal Circuit held that Order No. 57 was not reviewable as an ID under the Commission’s rules. *Align Tech., Inc. v. Int’l Trade Comm’n*, 771 F.3d 1317, 1324–25 (Fed. Cir. 2014). The Court vacated the Commission’s determination to review and reverse Order No. 57, and remanded the case to the Commission for further proceedings consistent with the Court’s opinion. *Id.* at 1326. On November 24, 2014, the Commission issued a notice to remand the investigation to the Chief Administrative Law Judge for assignment to a presiding ALJ to resume enforcement proceedings.

On April 6, 2015, Align and the Enforcement Respondents filed a joint motion to terminate the enforcement proceeding on the basis of an agreement between the parties. The Commission investigative attorney filed a response in support of the motion. On April 8, 2015, the ALJ granted the motion as the subject ID (Order No. 76). The ID found that granting the motion is in the public interest. Order No. 76 at 1–2; see 19 CFR 210.50(b)(2).

No petitions for review were filed. The Commission has determined not to review the ID. The Commission has terminated the investigation.

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 CFR part 210).

Issued: May 6, 2015.

By order of the Commission.

Lisa R. Barton,

Secretary to the Commission.

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–934]

Certain Dental Implants: Commission Determination Not To Review an Initial Determination Granting a Joint Motion To Amend the Complaint and Notice of 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 the presiding administrative law judge’s (“ALJ”) initial determination (“ID”) (Order No. 24) granting a joint motion of complainants Nobel Biocare Services AG of Switzerland and Nobel Biocare USA, LLC of Yorba Linda, California (collectively, “Nobel Biocare”) and respondents Neodent USA, Inc., of Andover, Massachusetts (“Neodent USA”) and JJGC Indústria e Comércio de Materiais Dentários S/A of Curitiba, Brazil (collectively, “Respondents”) to amend the Complaint and Notice of Investigation (“NOI”) to reflect the corporate name change of Neodent USA to Instrand USA, Inc.

FOR FURTHER INFORMATION CONTACT:

Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708–2301. 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 <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 27, 2014, based on a Complaint filed by Nobel Biocare, as supplemented. 79 *FR* 63940–41 (Oct. 27, 2014). The Complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), in the sale for importation, importation, and sale within the United States after importation of certain dental implants by reason of infringement of certain claims of U.S. Patent Nos. 8,714,977 and 8,764,443. The Complaint further alleges the existence of a domestic industry. The Commission’s Notice of Investigation named Respondents and the Office of Unfair Import Investigations as parties to the investigation.

On April 8, 2015, Nobel Biocare and Respondents filed a joint motion to amend the Complaint and NOI to reflect a corporate name change, effective August 15, 2014, of respondent Neodent USA to Instrand USA, Inc. The motion indicated that the Commission investigative attorney does not oppose the motion.

On April 9, 2015, the ALJ issued the subject ID granting the joint motion to amend the Complaint and NOI. The ALJ found, pursuant to section 210.14(b)(1) of the Commission’s Rules of Practice and Procedure (19 CFR 210.14(b)(1)), that good cause exists to amend the Complaint and NOI to conform to the name change. The ALJ also found that the amendment would not prejudice the public interest or the rights of the parties to the investigation.

No petitions for review of the subject ID were filed.

The Commission has determined not to review the 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 CFR part 210).

By order of the Commission.

Issued: May 6, 2015.

Lisa R. Barton,

Secretary to the Commission.

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