ACTION: Notice of public hearing and opportunity to submit comments in connection with the 21st report.


ADDRESSES: All Commission offices, including the Commission’s hearing rooms, are located in the United States International Trade Commission Building, 500 E Street SW., Washington, DC. All written submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW., Washington, DC 20436. The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at http://www.usitc.gov/secretary/edis.htm.

FOR FURTHER INFORMATION CONTACT: Justino De La Cruz (202–205–3252 or justino.delacruz@usitc.gov) or Cathy Jabara (202–205–3309 or cathy.jabara@usitc.gov) Country and Regional Analysis Division, Office of Economics, U.S. International Trade Commission, Washington, DC 20436. For information on the legal aspects of this investigation, contact William Gearhart of the Commission’s Office of the General Counsel (202–205–3091 or william.gearhart@usitc.gov). The media should contact Peg O’Laughlin, Public Affairs Officer (202–205–1819 or margaret.olaughlin@usitc.gov). Hearing-impaired individuals may obtain information on this matter by contacting the Commission’s TDD terminal at 202–205–1810. General information concerning the Commission may also be obtained by accessing its Web site at http://www.usitc.gov. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000.

Background: Section 215(a)(1) of the Caribbean Basin Economic Recovery Act (CBERA) (19 U.S.C. 2704(a)(1)) requires that the Commission submit biennial reports to the Congress and the President regarding the economic impact of the Act on U.S. industries and consumers, and on the economy of the beneficiary countries. Section 215(b)(1) requires that the reports include, but not be limited to, an assessment regarding:

(A) The actual effect, during the period covered by the report, of CBERA on the United States economy generally, as well as on those specific domestic industries which produce articles that are like, or directly competitive with, articles being imported into the United States from beneficiary countries; and

(B) the probable future effect which this Act will have on the United States economy generally, as well as on such domestic industries, before the provisions of this Act terminate.


Public Hearing: A public hearing in connection with this investigation will be held at the U.S. International Trade Commission Building, 500 E Street SW., Washington, DC, beginning at 9:30 a.m. on June 13, 2013. Requests to appear at the public hearing should be filed with the Secretary no later than 5:15 p.m., June 3, 2013. All pre-hearing briefs and statements should be filed not later than 5:15 p.m., June 6, 2013; and all post-hearing briefs and statements should be filed not later than 5:15 p.m., June 20, 2013. All requests to appear and pre- and post-hearing briefs and statements should be filed in accordance with the requirements in the “Written Submissions” section below. In the event that, as of the close of business on June 3, 2013, no witnesses are scheduled to appear at the hearing, the hearing will be canceled. Any person interested in attending the hearing as an observer or nonparticipant may call the Office of the Secretary (202–205–2000) after June 3, 2013, for information concerning whether the hearing will be held.

INTERNATIONAL TRADE COMMISSION

[Investigation No. 332–227]


**INTERNATIONAL TRADE COMMISSION**

*[Investigation No. 337–TA–880]*

**Certain Linear Actuators; Institution of Investigation Pursuant to 19 U.S.C. 1337**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on April 3, 2013, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Okin America, Inc. of Frederick, Maryland and Dewert Okin GmbH of Germany. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain linear actuators by reason of infringement of U.S. Patent No 5,927,144 (“the ‘144 patent”). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue an exclusion order and cease and desist orders.

**ADDRESSES:** The complaint, except for any confidential information contained therein, is 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., Room 112, Washington, DC 20436, telephone (202) 205–2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server at [http://edis.usitc.gov](http://edis.usitc.gov). The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at [http://edis.usitc.gov](http://edis.usitc.gov).


**Authority:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission’s Rules of Practice and Procedure, 19 CFR 210.10 (2012).

**Scope of Investigation:** Having considered the complaint, the U.S. International Trade Commission, on April 30, 2013, ordered that—

1. Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain linear actuators by reason of infringement of one or more of claims 1–29 of the ‘144 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

2. For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

a. The complainants are: Okin America, Inc., 7330 Executive Way, Frederick, Maryland 21704.
Dewert Okin GmbH, Weststrasse 1, 32278 Kirchlengern, Germany.

b. The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served: Changzhou Kaidi Electrical Co. Ltd., Wenxing Industrial Area, No. 4, Jiangcun East Road, Henglin Town, Changzhou 213101, China.
Kaidi LLC, 2285 S. Michigan Road, Eaton Rapids, MI 48827.
(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW., Suite 401, Washington, DC 20436; and

(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission’s Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d)–(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the