

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN MUZZLE-LOADING
FIREARMS AND COMPONENTS
THEREOF**

Inv. No. 337-TA-777

**ORDER NO. 7: INITIAL DETERMINATION GRANTING COMPLAINANTS'
UNOPPOSED MOTION TO TERMINATE THE INVESTIGATION
IN PART BASED ON WITHDRAWAL OF U.S. PATENTS NO.
7,908,781 AND NO. 7,140,138**

(July 8, 2011)

On July 1, 2011, complainant Thompson/Center Arms Company, Inc., ("Thompson/Center") filed a motion to terminate the investigation in part with respect to U.S. Patents No. 7,908,781 ("the '781 patent") and No. 7,140,138 ("the 138 patent"). (Motion Docket No. 755-002) Thompson/Center states that no respondent objects to granting the motion.

Commission Rule 210.21(a)(1) states, *inter alia*:

Any party may move at any time prior to the issuance of an initial determination on violation of section 337 of the Tariff Act of 1930 for an order to terminate an investigation in whole or in part as to any or all respondents, on the basis of withdrawal of the complaint or certain allegations contained therein... A motion for termination of an investigation based on withdrawal of the complaint shall contain a statement that there are no agreements, written or oral, express or implied between the parties concerning the subject matter of the investigation, or if there are any agreements concerning the subject matter of the investigation, all such agreements shall be identified, and if written, a copy shall be filed with the Commission along with the motion.

Thompson/Center seeks to withdraw its allegations related to the '781 and '138 patents based upon additional investigation and information received after filing the Complaint and Motion for Temporary Relief in this matter.

Pursuant to Commission Rule 210.21(a)(1), Thompson/Center states that "... there are no agreements, written or oral, express or implied between the parties concerning the subject matter of the Investigation." (Mot. at 1)

The Commission has held that "in the absence of extraordinary circumstances, termination of an investigation will be readily granted to a complainant during the prehearing stage of an investigation." *Certain Ultrafiltration Membrane Systems, & Components Thereof, Including Ultrafiltration Membranes*, Inv. No. 337-TA-107, Commission Action & Order at 2 (Mar. 11, 1982). I find no extraordinary circumstance that prevents the partial termination of this investigation. Partial termination of the investigation is in the public interest, as public and private resources will be conserved. *Certain Power Supplies*, Inv. No. 337-TA-646, Order No. 18 (Jan. 5, 2009).

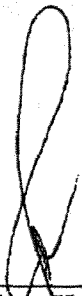
ORDER

Accordingly, it is my Initial Determination that Motion No. 777-002 is hereby GRANTED. The investigation is hereby terminated with respect to U.S. Patents No. 7,908,781 and No. 7,140,138

This Initial Determination, along with supporting documentation, is hereby certified to the Commission. Pursuant to 19 CFR § 210.42(h), this Initial Determination shall become the determination of the Commission unless a party files a petition for review of the Initial Determination pursuant to 19 CFR § 210.43(a), or the Commission, pursuant to 19 CFR

§ 210.44, orders, on its own motion, a review of the Initial Determination or certain issues herein.


SO ORDERED.



Robert K. Rogers, Jr.
Administrative Law Judge

PUBLIC CERTIFICATE OF SERVICE

I, James R. Holbein, hereby certify that the attached **ORDER** was served upon **Rett Snotherly, Esq.**, Commission Investigative Attorney, and the following parties via first class mail delivery on July 8, 2011


James R. Holbein, Secretary
U.S. International Trade Commission
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**CERTAIN MUZZLE-LOADING FIREARMS
AND COMPONENTS THEREOF**

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PUBLIC CERTIFICATE OF SERVICE PAGE 2

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