

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN ROAD MILLING
MACHINES AND COMPONENTS
THEREOF**

Inv. No. 337-TA-1067

Order No. 4

By publication of a notice in the Federal Register on August 25, 2017, pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, the Commission instituted this investigation 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 road milling machines and components thereof by reason of infringement of one or more of claims 1-5, 7-12, and 14-17 of the '340 patent; claims 1, 2, 5, 6, 9-22, and 27-29 of the '628 patent; claims 1-7, 13-24, and 26 of the '530 patent; claims 1, 2, 4, 6-8, 11, 12, and 15-17 of the '641 patent; and claims 1-3, 5-24, and 26-36 of the '309 patent; and whether an industry in the United States exists as required by subsection (a)(2) of section 337[.]

82 Fed. Reg. 40596.

The complainant is Wirtgen America, Inc., of Antioch, Tennessee. The respondents are Caterpillar Bitelli SpA, of Minerbio, Italy; Caterpillar Prodotti Stradali S.r.L., of Minerbio, Italy; Caterpillar Americas CV, of Geneva, Switzerland; Caterpillar Paving Products, Inc., of Minneapolis, Minnesota; and Caterpillar Inc., of Peoria, Illinois. The Office of Unfair Import Investigations is also a party in this investigation.

Based upon the complaint, the notice of investigation, and the administrative law judge's current schedule, it is determined that the initial determination on alleged violation of section

337 shall be due on August 24, 2018, and that the target date for completion of this investigation is December 26, 2018, which is 16 months after institution of the investigation. *See* 19 C.F.R. § 210.51(a); 19 C.F.R. § 210.42(a)(1)(i); 19 C.F.R. § 201.14(a).

So ordered.

A handwritten signature in black ink, appearing to read 'D. Shaw', written over a horizontal line.

David P. Shaw
Administrative Law Judge

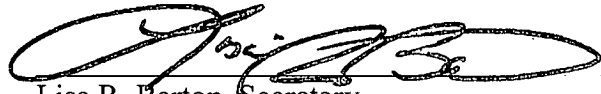
Issued: September 5, 2017

CERTAIN ROAD MILLING MACHINES AND COMPONENTS THEREOF

INV. NO. 337-TA-1067

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER NO. 4** has been served by hand upon the Commission Investigative Attorney, **Monisha Deka, Esq.**, and the following parties as indicated, on **SEP 06 2017**.



Lisa R. Barton, Secretary
U.S. International Trade Commission
500 E Street SW, Room 112A
Washington, DC 20436

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| FOR COMPLAINANT WIRTGEN AMERICA, INC.: | |
| Daniel E. Yonan, Esq. STERNE, KESSLER, GOLDSTEIN & FOX, P.L.L.C. 1100 New York Avenue, N.W. Washington, DC 20005 | <input type="checkbox"/> Via Hand Delivery <input type="checkbox"/> Express Delivery <input checked="" type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____ |
| RESPONDENTS CATERPILLAR PRODOTTI STRADALI S.r.L., CATERPILLAR BITELLI SpA, CATERPILLAR AMERICAS CV, CATERPILLAR PAVING PRODUCTS, INC., and CATERPILLAR, INC.: | |
| Christine E. Lehman, Esq. FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 New York Avenue, NW Washington, DC 20001 | <input type="checkbox"/> Via Hand Delivery <input type="checkbox"/> Express Delivery <input checked="" type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____ |