

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN CARBON AND ALLOY
STEEL PRODUCTS**

Inv. No. 337-TA-1002 (TS)

**ORDER NO. 56: INITIAL DETERMINATION TERMINATING INVESTIGATION
AS TO ALLEGATIONS OF TRADE SECRET
MISAPPROPRIATION**

(February 22, 2017)

On February 15, 2017, Complainant U.S. Steel Corporation (“U.S. Steel”) filed a motion to partially terminate the investigation on the basis of withdrawal of its trade secret allegations (Motion Docket No. 1002-053). U.S. Steel’s trade secret allegations are only directed toward Respondents Baosteel America, Inc., Shanghai Baosteel Group Corporation, and Baoshan Iron & Steel Co., Ltd. (“Baosteel”), who do not oppose the motion. The Commission Investigative Staff (“Staff”) filed a response on February 21, 2017, supporting the motion.

On June 2, 2016, this investigation was instituted upon publication of a notice in the *Federal Register* based upon U.S. Steel’s allegations of price fixing, trade secret misappropriation, and false designation of origin. 81 Fed. Reg. 35381-82 (2016). The price fixing and false designation claims were terminated pursuant to Order No. 38 (Nov. 14, 2016) and Order No. 46 (Jan. 11, 2017), respectively. The procedural schedule was suspended pursuant to Order No. 55 (Feb. 15, 2017).

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 Television Sets, Television Receivers, Television Tuners, and Components Thereof*, Inv. No. 337-TA-910, Order No. 50, 2014 WL 6480577 (Nov. 12, 2014) (quoting *Certain Ultrafiltration Membrane Systems, & Components Thereof Including Ultrafiltration Membranes*, Inv. No. 337-TA-107, Comm’n Action & Order at 2 (Mar. 11, 1982)), *not rev’d*, Comm’n Notice (May 12, 2014). 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 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, or for good cause other than the grounds listed in paragraph (a)(2) of this section. A motion for termination of an investigation based on withdrawal of the complaint, or for good cause, 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.

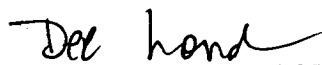
19 C.F.R. § 210.21(a)(1). In compliance with Commission Rule 210.21(a), the motion states that there are no agreements, written or oral, express or implied between the parties concerning the subject matter of this investigation. Mot. at 1. I find no evidence of extraordinary circumstances preventing the termination of this investigation and find that termination is in the public interest, as public and private resources will be conserved. *See* Staff Resp. at 3; *see also Certain Power Supplies*, Inv. No. 337-TA-646, Order No. 18, 2009 WL 52424 (Jan. 5, 2009) (“public policy supports termination, in order to conserve public and private resources”).

Accordingly, it is my Initial Determination that Motion Docket No. 1002-053 is GRANTED.¹ This investigation is hereby terminated in its entirety, pending Commission review.

¹ There is a pending motion to compel (Motion Docket No. 1002-052), which is hereby DENIED as moot.

Pursuant to Commission Rule 210.42(h), this Initial Determination shall become the determination of the Commission unless a party files a petition for review pursuant to Commission Rule 210.43(a), or the Commission orders, on its own motion, a review of the Initial Determination or certain issues herein pursuant to Commission Rule 210.44. 19 C.F.R. §§ 210.42(h), 210.43(a), 210.44.

SO ORDERED.



Dee Lord
Administrative Law Judge

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Reginald Lucas, Esq., and the following parties as indicated, on **February 22, 2017**.



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U.S. International Trade Commission
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