

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, D.C.

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In the Matter of )  
)  
CERTAIN DUAL ACCESS LOCKS AND ) Investigation No. 337-TA-689  
PRODUCTS CONTAINING SAME )  
)

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Order No. 3: Setting Target Date Of 12/21/10 And Requiring Proposed  
Procedural Schedule(s) By 11/20/09

Pursuant to Order No. 1, the administrative law judge has received discovery statements from complainants, certain respondents (responding respondents) and the staff. The notice of investigation was published on October 21, 2009 (74 Fed. Reg. 54065).

Complainants proposed a target date of "14 months from the date of investigation." Responding respondents believe that a target should be set no sooner than 18 months after initiation of this investigation, or April 15, 2011, and argued that this investigation involves complex issues including the issue under 28 U.S.C. 1498 (whether complainants' sole recourse is to sue the U.S. government in the Court of Claims); that complainants' decision to name 20 respondents adds complexity to this proceeding; that all of the 20 respondents are unrelated and operate different businesses;<sup>1</sup> that the facts for each of respondents will require separate discovery efforts; that all of the 20 respondents are located on different continents, in different cities, in different countries, including, Taiwan, Germany, China, UK and Japan, complicating discovery and other aspects of the investigation; and that target date of 15 months or "January 15, 2011" would make this investigation with 19 or 20 respondents extremely difficult for the

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<sup>1</sup> It is a fact that the same counsel represents all of the respondents with the exception of respondent Formosa Tai Rank Industrial Corp. (Formosa) which was identified as "Diplomat" in Order No. 1. No discovery statement has been received from Formosa.

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US INTL TRADE COMMISSION

parties. The staff proposed a target date of October 21, 2010 which meant that any final initial determination should be filed by the administrative law judge no later than June 21, 2010.

Having considered the arguments of the parties regarding the target date as well as the administrative law judge's schedule, the administrative law judge is setting a 14 month target date, viz. December 21, which means that any final initial determination should be filed no later than Monday August 23, 2010. In addition, the administrative law judge is setting the days of May 24, 25, 26, 27 and 28, 2010 in Hearing Room B for the prehearing conference and evidentiary hearing. Hence complainants, the responding respondents and the staff should submit a proposed procedural schedule(s), pursuant to the ground rules, after consultation with each other and taking into consideration the hearing dates no later the close of business on November 20, 2009.

On November 12, 2009, counsel for the private parties and the staff received a copy of this order.

  
Paul J. Luckern  
Chief Administrative Law Judge

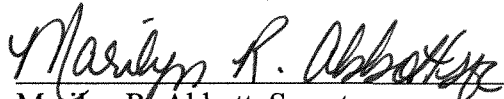
Issued: November 12, 2009

**CERTAIN DUAL ACCESS LOCKS AND PRODUCTS  
CONTAINING SAME**

**337-TA-689**

**PUBLIC CERTIFICATE OF SERVICE**

I, Marilyn R. Abbott, hereby certify that the attached **Order** has been served by hand upon the Commission Investigative Attorney, Rett Snotherly, Esq., and the following parties as indicated, on November 13, 2009.



Marilyn R. Abbott, Secretary  
U.S. International Trade Commission  
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**For Respondents C&C Luggage Manufacturing Co., Ltd.;  
Hangzhou Gema Suitcases & Bags Co., Ltd.; La Pearl  
Luggage and Leather Goods Co., Ltd.; Hinomoto Jomae,  
Ltd.; Sinox Company, Ltd.; Yi Feng Manufacturing Co.,  
Ltd.; Jin Tay Industries Co., Ltd.; FULLYEAR-Brother  
Enterprise, Co., Ltd.; Zhuhai SkyGood Tech. Industrial  
Corp., Ltd.; Ningbo Xianfeng Art & Craft Co., Ltd.;  
Paloma Enterprises Co., Ltd.; Tekraft Industrial Co., Ltd.;  
Hangzhou Travelsky Co., Ltd.; The Sun Lock Company,  
Ltd.; Alloy Metal Manufactory, Ltd.; Cometform, Ltd.;  
Design Go Ltd.; Franzen International and  
M-Power Lock Manufactory:**

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**Respondent:**

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**CERTAIN DUAL ACCESS LOCKS AND PRODUCTS  
CONTAINING SAME**

**337-TA-689**

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