

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN ELECTRIC FIREPLACES,
COMPONENTS THEREOF,
MANUALS FOR SAME, CERTAIN
PROCESSES FOR MANUFACTURING
OR RELATING TO SAME AND
CERTAIN PRODUCTS CONTAINING
SAME**

**Inv. No. 337-TA-791
Inv. No. 337-TA-826
(Consolidated)**

Order No. 11

By publication of a notice in the *Federal Register* on January 19, 2012, pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, the Commission instituted this consolidated investigation to determine:

(a) 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 electric fireplaces, components thereof, manuals for same, certain processes for manufacturing or relating to same and certain products containing same that infringe U.S. Copyright Nos. TX0007350474; TX0007350476; VA0001772660; and VA0001772661, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(b) whether there is a violation of subsection (a)(1)(A) 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 electric fireplaces, components thereof, manuals for same, certain processes for manufacturing or relating to same and certain products containing same by reason of misappropriation of trade secrets, breach of contract, or tortious interference with contract, the threat or effect of which is to destroy or substantially injure an industry in the United States.

The complainants are Twin-Star International, Inc. of Delray Beach, Florida, and TS Investment Holding Corp. of Miami, Florida. *Id.* The respondents are Shenzhen Reliap Industrial Co. of Shenzhen, China; Yue Qiu Sheng (a.k.a. Jason Yue) of Shenzhen City, China; and Whalen Furniture Manufacturing Inc. of San Diego, California. The Commission investigative staff (“Staff”) is also a party in the investigation.

Based upon the complaint, the notice of the consolidated investigation, and the parties’ submissions on the target date of the consolidated investigation,¹ the undersigned has determined that the initial determination on alleged violation of section 337 shall be due on December 19, 2012, and that the target date for completion of this investigation is April 19, 2013, which is 15 months after institution of the investigation. *See* 19 C.F.R. § 210.51(a); 19 C.F.R. § 210.42(a)(1)(i).

The parties are to meet and confer and submit a joint proposed procedural schedule by February 13, 2012.²

So ordered.



David P. Shaw
Administrative Law Judge

Issued: February 6, 2012

¹ The complainants and the Staff propose a 15-month target date, and the respondents propose a 16-month target date.

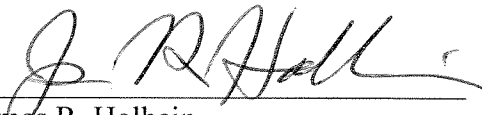
² After taking into consideration the parties’ positions and the undersigned’s current schedule, the evidentiary hearing will be held August 1 – 8, 2012.

**CERTAIN ELECTRIC FIREPLACES,
COMPONENTS THEREOF, MANUALS
FOR SAME, CERTAIN PROCESSES FOR
MANUFACTURING OR RELATING
TO SAME, AND CERTAIN PRODUCTS
CONTAINING SAME**

**337-TA-791
337-TA-826
(Consolidated)**

PUBLIC CERTIFICATE OF SERVICE

I, James R. Holbein, hereby certify that the attached **ORDER NO. 11** has been served by hand upon the Commission Investigative Attorney, **Dan Girdwood, Esq.**, and the following parties as indicated on FEB - 6 2012 FEB - 6 2012.


James R. Holbein
Secretary to the Commission
U.S. International Trade Commission
500 E Street, SW, Room 112A
Washington, D.C. 20436

**ON BEHALF OF COMPLAINANTS TWIN-STAR INTERNATIONAL, INC., AND TS
INVESTMENT HOLDING CORPORATION:**

Jay H. Reiziss, Esq.
**BRINKS HOFER GILSON
& LIONE**
1850 K Street NW
Washington, DC 20006

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____

**ON BEHALF OF RESPONDENTS SHENZHEN RELIAP INDUSTRIAL CO. AND YUE
QIU SHENG (A.K.A. JASON YUE):**

Marcia H. Sundeen, Esq.
KENYON & KENYON LLP
1500 K Street, N.W.
Washington, DC 20005

- Via Hand Delivery
- Via Overnight Mail
- Via First Class Mail
- Other: _____

**CERTAIN ELECTRIC FIREPLACES,
COMPONENTS THEREOF, MANUALS
FOR SAME, CERTAIN PROCESSES FOR
MANUFACTURING OR RELATING
TO SAME, AND CERTAIN PRODUCTS
CONTAINING SAME**

**337-TA-791
337-TA-826
(Consolidated)**

ON BEHALF OF RESPONDENT WHALEN FURNITURE MANUFACTURING, INC. :

Randall S. Waier, Esq.
LAW OFFICES OF RANDALL S. WAIER
20241 Birch St., Suite 103
Newport Beach, CA 92660

Via Hand Delivery
 Via Overnight Mail
 Via First Class Mail
 Other: _____

PUBLIC MAILING LIST

Heather Hall
LEXIS - NEXIS
9443 Springboro Pike
Miamisburg, OH 45342

Via Hand Delivery
 Via Overnight Mail
 Via First Class Mail
 Other: _____

Kenneth Clair
THOMSON WEST
1100 13th Street, NW, Suite 200
Washington, DC 20005

Via Hand Delivery
 Via Overnight Mail
 Via First Class Mail
 Other: _____