

**UNITED STATES INTERNATIONAL TRADE COMMISSION**  
**Washington, D.C.**

**In the Matter of**

**CERTAIN DENTAL IMPLANTS**

**Inv. No. 337-TA-934**

**Order No. 7**

Respondents Intradent USA, Inc., formerly known as Neodent USA, Inc.,<sup>1</sup> and JJGC Indústria e Comércio de Materiais Dentários S/A (collectively, “Neodent”) filed a motion to compel the production of documents by complainants Nobel Biocare Services AG and Nobel Biocare USA, LLC (collectively, “Nobel”), and a memorandum in support thereof. Motion Docket No. 934-01. Nobel opposed the motion. No other responses were filed.

Neodent seeks an order compelling Nobel “to conduct a reasonable search of the records of Nobel Biocare AB of Sweden (‘Nobel Biocare AB’) and Alpha Bio Tec Ltd. (‘Alpha Bio Tec’) for documents concerning conception, reduction to practice and development of the alleged inventions of the ’977 and ’443 patents (*i.e.*, ‘the patents-in-suit’).” Mem. at 1. It is argued that, “[t]o date, Complainants have failed to perform a reasonable search for such records and misrepresented to the United States District Court for the Central District of California that they had already done so.” *Id.*

In response, Nobel argues that the pending motion is moot because “Nobel has been conducting a diligent search of both companies and has been producing relevant documents.”

---

<sup>1</sup> Neodent USA, Inc. is the named respondent in this investigation, not Intradent USA, Inc. See 79 Fed. Reg. 63940 (Oct. 27, 2014). Intradent USA, Inc. is nevertheless participating in the investigation as if it were a named respondent.

Opp'n at 1. It is argued that "Nobel has completed most of its search for documents at its Swedish and Israeli affiliates," and that the search included "*all* of their pertinent physical files." *Id.* at 2 (emphasis original). Nobel states that it "has produced some of the documents located though this reasonable search, and the remainder will be produced within the next week." *Id.* It is further argued that "the only searching remaining should be completing the ongoing electronic search of archival, standalone drives at Alpha-Bio Tec, Nobel's Israeli affiliate." *Id.*

Having considered the arguments of the parties, the administrative law judge grants in part Motion No. 934-01. Nobel is ordered to file a statement, no later than January 23, 2015, certifying that it has completed production of documents and information in response to the discovery requests at issue in the pending motion. If Nobel cannot so certify, it shall provide a date certain by which it will complete the production.



---

David P. Shaw  
Administrative Law Judge

Issued: January 15, 2015

**PUBLIC CERTIFICATE OF SERVICE**

I, Lisa R. Barton, hereby certify that the attached **ORDER NO. 7** has been served by hand upon the Commission Investigative Attorney, **Todd Taylor, Esq.**, and the following parties as indicated, on **JAN 16 2015**.



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

**FOR COMPLAINANTS NOBEL BIOCARE SERVICES AG AND NOBEL BIOCARE USA, LLC:**

John B. Sganga, Jr., Esq.  
**KNOBBE, MARTENS, OLSON & BEAR, LLP**  
2040 Main Street, 14<sup>th</sup> Floor  
Irvine, CA 92614

( ) Via Hand Delivery  
( ) Express Delivery  
(☒) Via First Class Mail  
( ) Other: \_\_\_\_\_

**FOR RESPONDENTS NEODENT USA, INC. AND JJGC INDÚSTRIA E COMÉRCIO DE MATERIAIS DENTÁRIOS S/A:**

Liane M. Peterson, Esq.  
**FOLEY & LARDNER LLP**  
Washington Harbour  
3000 K Street NW, Suite 600  
Washington, DC 20007-5109

( ) Via Hand Delivery  
( ) Express Delivery  
(☒) Via First Class Mail  
( ) Other: \_\_\_\_\_