

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

**In the Matter of**

**CERTAIN DENTAL IMPLANTS**

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

**Order No. 8**

Complainants Nobel Biocare Services AG and Nobel Biocare USA, LLC (collectively, “Nobel”) filed a motion to compel the production of documents by 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”), and a memorandum in support thereof. Motion Docket No. 934-02. Neodent opposed the motion. No other responses were filed.

Nobel seeks an order compelling Neodent to “(1) produce all relevant documents regarding the design, development, advertising, and promotion of the accused Drive CM dental implant; (2) identify and produce witnesses for depositions who are most knowledgeable about those topics; and (3) search for and produce responsive documents from Respondents’ parent and sister entities in the Straumann corporate family.” Mem. at 1.

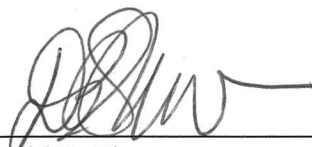
In response, Neodent argues that the pending motion should be denied with respect to items (1) and (2) above because, *inter alia*, it will “collect and promptly produce” “design and development documents for the Brazilian products,” and because it “will honor its . . . assurances to Complainants to provide the names of the people most knowledgeable about the design and

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<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.

development of the non-accused Brazilian products after completing a reasonable investigation once the relevant employees have returned from vacation . . . .” *See* Opp’n at 2, 8. As for item (3) above, Neodent argues that it “would be premature for the ALJ to consider whether Respondents should be compelled to search for or produce documents from the Straumann affiliates” because “those Straumann entities have agreed, subject to their objections, to produce responsive, relevant, non-privileged documents.” *See id.* at 14.

Having considered the arguments of the parties, the administrative law judge grants in part Motion No. 934-02. Neodent is ordered to file a statement, no later than January 23, 2015, certifying that it has completed production of documents and information responsive to the discovery requests described above as items (1) and (2). If Neodent cannot so certify, it shall provide a date certain by which it will complete production. Moreover, Neodent is ordered to file weekly statements, starting on January 23, 2015, describing in detail the steps taken by Institut Straumann AG, Straumann BV, Straumann USA, LLC, and Straumann Manufacturing, Inc. to provide discovery in this investigation.

  
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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. 8** 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

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