

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

**In the Matter of**

**CERTAIN COMPOSITE BASEBALL  
AND SOFTBALL BATS AND  
COMPONENTS THEREOF**

**Investigation No. 337-TA-1283**

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN  
INITIAL DETERMINATION PARTIALLY TERMINATING THE INVESTIGATION  
WITH RESPECT TO A CERTAIN RESPONDENT**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission (the “Commission”) has determined not to review an initial determination (“ID”) (Order No. 21) issued by the presiding administrative law judge (“ALJ”) partially terminating the investigation with respect to Monsta Athletics LLC (“Monsta”) due to withdrawal of the complaint. Monsta is hereby terminated from this investigation.

**FOR FURTHER INFORMATION CONTACT:** Carl P. Bretscher, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2382. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket system (“EDIS”) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal, telephone (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on November 2, 2021, based on a complaint filed and supplemented by Easton Diamond Sports, LLC of Thousand Oaks, California (“Easton”). 86 FR 60468-469 (Nov. 2, 2021). The complaint alleges a violation of section 337 of the Tariff Act, as amended, 19 U.S.C. 1337 (“Section 337”), based on the importation, sale for importation, or sale in the United States after importation of certain composite baseball and softball bats and components thereof by reason of infringement of one or more asserted claims of U.S. Patent No. 6,997,826. *Id.* The complaint further alleges the existence of a domestic industry. *Id.* The Commission’s notice of investigation names Juno Athletics LLC of Aventura, Florida; Monsta of Calimesa, California; and Proton Sports Inc. of Scottsdale, Arizona (“Proton”) as respondents. *Id.* at 60469. The Office of Unfair Import Investigations is not a party to this investigation. *Id.*

On January 25, 2022, the Commission adopted an ID (Order No. 8) granting Easton's unopposed motion for leave to amend the complaint and notice of investigation to add TianChang Zhengmu Aluminum Technology Co., Ltd. of Tianching City, China ("TZA") as a respondent. Order No. 8 (Dec. 28, 2021), *unreviewed by Comm'n Notice* (Jan. 25, 2022).

On February 16, 2022, the Commission adopted an ID (Order No. 11) terminating TZA based on withdrawal of the complaint. Order No. 11 (Jan. 28, 2022), *unreviewed by Comm'n Notice* (Feb. 16, 2022).

On April 12, 2022, the Commission determined not to review, and thus adopted, an initial determination finding respondent Proton in default. Order No. 13 (March 30, 2022), *unreviewed by Comm'n Notice* (April 12, 2022).

On June 27, 2022, the presiding ALJ issued the subject ID (Order No. 21) partially terminating the investigation with respect to Monsta based on withdrawal of the complaint. Order No. 21 (June 27, 2022). The subject ID finds that Easton's motion complies with Commission Rule 210.21(a) (19 CFR 210.21(a)). The ID also finds that there are no extraordinary circumstances that would warrant denying Easton's motion. *Id.*

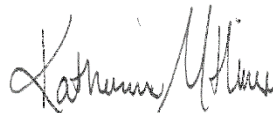
No party filed a petition for review of the subject ID.

The Commission has determined not to review, and thereby adopts, the subject ID. The investigation is hereby terminated with respect to Monsta.

The Commission voted to approve this determination on July 25, 2022.

The authority for the Commission's determinations is contained in Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.



Katherine M. Hiner  
Acting Secretary to the Commission

Issued: July 25, 2022