

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

In the Matter of

**CERTAIN PROGRAMMABLE LOGIC
CONTROLLERS (PLCS),
COMPONENTS THEREOF, AND
PRODUCTS CONTAINING SAME**

Inv. No. 337-TA-1105

**ORDER DENYING REQUEST FOR ENTRY INTO
EARLY DISPOSITION PILOT PROGRAM**

On February 5, 2018, Respondent Rockwell Automation, Inc. (“Rockwell”) submitted a letter requesting that the Commission utilize the Early Disposition Pilot Program to determine the following issues: (i) whether the Commission has subject-matter jurisdiction; (ii) whether Complainant Radwell International, Inc. (“Radwell”) can satisfy the domestic industry requirement; and/or (iii) whether Radwell has antitrust standing. *See* February 5, 2018 Letter to Chairman.

Specifically, Rockwell contends that the alleged unfair acts relate to a domestic trade dispute without sufficient nexus to imported products, and that Rockwell lacks antitrust standing. It further contends that Radwell has not pled a cognizable domestic industry. Radwell filed a response opposing the request on February 8, 2018.

The Commission has determined not to use the Early Disposition Pilot Program for this investigation. The request, and the response thereto, demonstrate that the issues raised may be too complex to be decided within 100 days of institution.

Accordingly, the Commission hereby **DENIES** the Request.

The Secretary shall serve copies of this Order upon each party of record in this investigation.

By order of the Commission.

A handwritten signature in black ink, appearing to read "Lisa R. Barton". The signature is stylized and cursive.

Lisa R. Barton
Secretary to the Commission

Issued: March 26, 2018

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PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Jeffrey Hsu, Esq., and the following parties as indicated, on 3/26/2018



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

On Behalf of Complainants:

Jonathan J. Engler, Esq.
ADDUCI, MASTRIANI & SCHAUMBERG LLP
1133 Connecticut Avenue, NW, 12th Floor
Washington, DC 20036

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

Respondents:

Rockwell Automation, Inc.
1201 South 2nd Street
Milwaukee, WI 53204-2310

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