

UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.

In the Matter of:

**CERTAIN COMPOSITE AEROGEL
INSULATION MATERIALS AND
METHODS FOR MANUFACTURING THE
SAME**

Investigation No. 337-TA-1003

**ORDER NO. 41: GRANTING COMPLAINANT'S UNOPPOSED MOTION TO
REOPEN PROCEEDINGS FOR RECEIPT OF
ADDITIONAL EVIDENCE**

(June 16, 2017)

On June 14, 2017, Complainant Aspen Aerogels, Inc. ("Complainant" or "Aspen") filed an unopposed motion ("Motion") seeking to reopen this Investigation for the limited purpose of receiving into evidence the June 8, 2017 decision by the United States Patent and Trademark Office Patent Trial and Appeal Board ("PTAB") denying institution of Respondent Guangdong Alison Hi-Tech Co., Ltd.'s ("Respondent Alison") petition for *inter partes* review of Aspen's U.S. Patent No. 7,078,359 ("June 8, 2017 PTAB Decision"). (Motion Docket No. 1003-035; Doc. ID No. 611034; Mot. at 1.). In its Motion, Complainant also requests that this Court take judicial notice of the June 8, 2017 PTAB Decision.


Complainant certifies that in accordance with Ground Rule 2.2, the parties met and conferred on this issue. (*Id.*). According to Complainant, Respondents Guangdong Alison and Nano Tech Co., Ltd. (collectively, "Respondents")¹ and Commission Investigative Staff ("Staff") do not oppose Complainant's Motion. (*Id.*).

Because neither Staff nor Respondents oppose this Motion, Complainant's unopposed

¹ Complainant notes in its Motion that while Respondents do not oppose the Motion, Respondents believe that the decision is irrelevant. (Mot. at 1.).

motion, Motion Docket No. 1003-035, is hereby *granted*. The proceedings in this Investigation will be reopened for the limited purpose of receiving into evidence the June 8, 2017 PTAB Decision. In addition, this Court takes judicial notice of the June 8, 2017 PTAB Decision.

SO ORDERED.

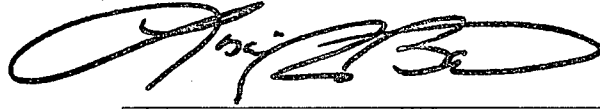

MaryJoan McNamara
Administrative Law Judge

**CERTAIN COMPOSITE AEROGEL
INSULATION MATERIALS AND
METHODS FOR MANUFACTURING
THE SAME**

Inv. No. 337-TA-1003

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Yoncha Kundupoglu, Esq., and upon the following parties as indicated on **June 16, 2017**:



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

On Behalf of Complainant Aspen Aerogels, Inc.:

Kevin K. Su, Esq.
FISH & RICHARDSON P.C.
1 Marina Park Drive
Boston, MA 02210

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

**On Behalf of Respondent Guangdong Alison
Hi-Tech Co., Ltd.:**

Gary M. Hnath, Esq.
MAYER BROWN LLP
1999 K Street, N.W.
Washington, DC 20006-1101

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

On Behalf of Respondent Nano Tech Co., Ltd.:

Timothy R. Bickhan, Esq.
STEPTOE & JOHNSON LLP
1330 Connecticut Avenue, N.W.
Washington, DC 20036

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