

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON DC**

In the Matter of

**CERTAIN BALANCED ARMATURE
DEVICES, PRODUCTS CONTAINING
SAME, AND COMPONENTS
THEREOF**

Inv. No. 337-TA-1186

GENERAL EXCLUSION ORDER

The United States International Trade Commission (“Commission”) has determined that there is a violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), in the unlawful importation and sale in the United States of certain balanced armature devices made with, or using, one or more of the Representative Trade Secrets 1-10 owned by Complainants, Knowles Corporation, Knowles Electronics, LLC, and Knowles Electronics (Suzhou) Co., Ltd., and asserted in this Investigation (the “Representative Trade Secrets”).

Having reviewed the record of this Investigation, including the written submissions of the parties, the Commission has made its determination on the issues of remedy, the public interest, and bonding. The Commission has determined, pursuant to 19 U.S.C § 1337(d)(2), that a general exclusion from entry for consumption is necessary to prevent circumvention of an exclusion order limited to products of named persons. Accordingly, the Commission has determined to issue a general exclusion order prohibiting the unlicensed importation of the certain balanced armature devices, products containing the same, and components of said products (as defined in paragraph 2 below).

The Commission has also determined that the public interest factors enumerated in 19 U.S.C. § 1337(d) do not preclude the issuance of the general exclusion order, and that the bond

during the period of Presidential review shall be in the amount of one hundred percent (100%) of the entered value of the balanced armature devices subject to this Order but that there should be a zero percent bond (0%) (*i.e.*, no bond) for the products containing the same or the components thereof.

Accordingly, the Commission hereby **ORDERS** that:

1. Certain balanced armature devices, products containing the same, and components of said products (as defined in paragraph 2 below) made with, or using, any of the Representative Trade Secrets are excluded for a period of 26 years from the effective date of this Order from entry for consumption into the United States, entry for consumption from a foreign trade zone, or withdrawal from a warehouse for consumption, except under license of, or with the permission of, the owner of the Representative Trade Secrets or as provided by law.

2. The balanced armature devices, products containing the same, and components of said products that are subject to this Order (*i.e.*, “covered articles”) are as follows: (i) balanced armature devices that are made by, for, or on behalf of (1) Shenzhen Bellsing Acoustic Technology Co. Ltd., Suzhou Bellsing Acoustic Technology Co., Ltd., Dongguan Bellsing Precision Device Co., Ltd., and Bellsing Corporation (collectively, the “Bellsing Respondents”) or any of their affiliated companies, parents, subsidiaries, licensees, contractors, or other related business entities, or their successors or assigns, or (2) Respondent Liang (a/k/a “Ryan”) Li or any business entity owned by, controlled by, or affiliated with Respondent Li, or their successors or assigns (the “Excluded Balanced Armature Devices”), (ii) products, regardless of source, containing one or more of the Excluded Balanced Armature Devices (including, but not limited to, in-ear and over-ear audio products such as hearing aids, hearing devices, hearing aid replacement receiver tubes, receiver in canal (RIC) replacement modules, personal sound

amplifiers, headsets, wired and wireless headphones, earphones, ear buds, in-ear monitors, as well as audio measuring and testing instruments, liquid volumetric instruments, and implantable medical devices with sounders or beepers) (the “Excluded Products Containing Same”), and (iii) components, regardless of source, of any Excluded Products Containing Same, where the component contains one or more Excluded Balanced Armature Devices (the “Excluded Components Containing Same”).

3. Notwithstanding paragraph 1 of this Order, (a) Excluded Balanced Armature Devices are entitled to entry into the United States for consumption, entry for consumption from a foreign trade zone, or withdrawal from a warehouse for consumption, under one hundred percent (100%) bond of the entered value of the Excluded Balanced Armature Devices subject to this Order and (b) Excluded Products Containing Same and Excluded Components Containing Same are entitled to entry into the United States for consumption, entry for consumption from a foreign trade zone, or withdrawal from a warehouse for consumption, under zero percent (0%) bond (*i.e.*, no bond) of the entered value of the Excluded Products Containing Same and Excluded Components Containing Same subject to this Order, pursuant to subsection (j) of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337(j)), and the Presidential Memorandum for the United States Trade Representative of July 21, 2005 (70 FR 43251), from the day after this Order is received by the United States Trade Representative until such time as the United States Trade Representative notifies the Commission that this Order is approved or disapproved but, in any event, not later than sixty (60) days after the date of receipt of this Order. All entries of covered articles made pursuant to this paragraph are to be reported to U.S. Customs and Border Protection (“CBP”), in advance of the date of the entry, pursuant to procedures CBP establishes.

4. Prior to entry for consumption into the United States, entry for consumption from a foreign trade zone, or withdrawal from a warehouse for consumption of balanced armature devices, products containing the same, and/or components of said products that may be subject to this Order, the owner, importer, and/or consignee shall seek a ruling from the Commission to determine whether such articles are covered by this Order.

5. At the discretion of CBP and pursuant to the procedures it establishes, and after a Commission determination of whether the articles are covered by this order under paragraph 4 of this Order, persons seeking to import articles that are potentially subject to this Order may be required to certify that they are familiar with the terms of this Order, that they have made appropriate inquiry, and thereupon state that, to the best of their knowledge and belief, the products being imported are not excluded from entry under paragraph 1 of this Order. At its discretion, CBP may require persons who have provided the certification described in this paragraph to furnish such records or analyses as are necessary to substantiate the certification.

6. The Commission may modify this Order in accordance with the procedures described in Rule 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

7. The Secretary shall serve copies of this Order upon each party of record in this Investigation and upon CBP.

8. Notice of this Order shall be published in the Federal Register.

By order of the Commission,

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', with a stylized flourish at the end.

Lisa R. Barton
Secretary to the Commission

Issued: October 4, 2021

CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached document has been served via EDIS upon the Commission OUII Investigative Attorney and the following parties as indicated, upon the date listed below.

Document	Security	Document Type	Official Rec'd Date	Title
753386	Public	Order, Commission	10/05/2021 08:45 AM	General Exclusion Order

Service Date: October 04, 2021

/s/

Lisa R. Barton
U.S. International Trade Commission
500 E Street, S.W.
Suite 112
Washington, D.C. 20436

CERTIFICATE OF SERVICE

**On behalf of Complainant Knowles Corporation; Knowles
Electronics (Suzhou) Co., Ltd. ; Knowles Electronics, LLC:**

Alexander D. Chinoy

Covington and Burling LLP

1201 Pennsylvania Ave, NW

Washington, District of Columbia 20004-2001, United States

Electronic Service

**On behalf of Respondent Bellsing Corporation; Dongguan
Bellsing Precision Device Co., Ltd.; Liang Li (a/k/a Ryan
Li); Shenzhen Bellsing Acoustic Technology Co.,
Ltd.; Suzhou Mingshi Intelligent Manufacturing Technology
Co., Ltd. a/k/a Suzhou MS Intelligent Manufacturing
Technology Co., Ltd. a/k/a Suzhou MS Automation
Technology Co., Ltd.:**

Jason Xu

Rimon, P.C.

1717 K Street NW, Suite 900

Suite 500

Washington, District of Columbia 20006, United States

Electronic Service

On behalf of U.S. International Trade Commission :

Reginald Lucas

OUII Investigative Attorney

500 E Street, S.W.

Washington, D.C. 20436

Internal Service

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON DC**

In the Matter of

**CERTAIN BALANCED ARMATURE
DEVICES, PRODUCTS CONTAINING
SAME, AND COMPONENTS
THEREOF**

Inv. No. 337- TA-1186

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT RESPONDENT Bellsing Corporation, 3333 Warrenville Rd, #155, Lisle, IL 60532, cease and desist from conducting any of the following activities in the United States: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), and soliciting U.S. agents or distributors for, and aiding or abetting other entities in the importation, sale for importation, sale after importation, or transfer (except for exportation), or distribution of certain balanced armature devices, products containing same, and components of said products (as defined in Definition (H) below) by reason of misappropriation of one or more of Representative Trade Secrets 1-10 owned by Complainants, Knowles Corporation, Knowles Electronics, LLC, and Knowles Electronics (Suzhou) Co., Ltd., and asserted in this Investigation (as defined in Definition (G) below) (*see* Compl. ¶¶ 68-78 and accompanying exhibits) in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

**I.
Definitions**

As used in this Order:

- A. “Commission” shall mean the United States International Trade Commission.

B. “Complainants” shall collectively mean Knowles Corporation and Knowles Electronics, LLC, 1151 Maplewood Drive, Itasca, IL 60143; and Knowles Electronics (Suzhou) Co., Ltd., No. 20, Chunxing Road, Xiangcheng District, Suzhou, 215131, Jiangsu Province, China.

C. “Respondent” shall mean Bellsing Corporation, 3333 Warrenville Rd, #155, Lisle, IL 60532.

D. “Person” shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or Respondent’s majority owned, controlled, or otherwise affiliated subsidiaries, successors, or assigns.

E. “United States” shall mean the fifty States, the District of Columbia, and Puerto Rico.

F. The terms “import” and “importation” refer to importation for entry for consumption under the Customs laws of the United States, including entry for consumption from a foreign trade zone, entry into a bonded warehouse or foreign trade zone, or withdrawal from a warehouse for consumption.

G. The term “Representative Trade Secrets” shall mean Complainants’ Representative Trade Secrets 1-10 asserted in this Investigation.

H. The term “covered products” shall mean certain balanced armature devices, products containing same, and components of said products that are made with or use one or more of the Representative Trade Secrets. Covered products shall not include articles for which a provision of law or license avoids liability.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of Respondent’s principals, stockholders, officers, directors, employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned and/or affiliated

business entities, successors, and assigns, and to each of them insofar as they are engaging in conduct prohibited by Section III, *infra*, for, with, or otherwise on behalf of Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order. For a period of twenty-six (26) years from the date of issuance of this Order, Respondent shall not:

- A. use or disclose the Representative Trade Secrets;
- B. import or sell for importation into the United States covered products;
- C. sell, offer for sale, advertise, transfer (except for exportation), market, or distribute in the United States imported covered products;
- D. solicit U.S. agents or distributors for imported covered products;
- E. install the covered products into downstream products with knowledge of, or intention for, importation into or sale in the United States, or provide covered products to others for purposes of incorporation into downstream products intended for importation into or sale in the United States; or
- F. aid or abet other entities in the importation, sale for importation, sale after importation, transfer, or distribution of covered products, including aiding and abetting others with incorporation of covered articles into downstream products intended for importation into or sale in the United States.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Representative Trade Secrets licenses or authorizes such specific conduct.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this Order through June 30, 2022. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that Respondent has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above. Submissions should refer to the investigation number (“Inv. No. 337-TA-1186”) in a prominent place on the cover pages and/or the first page. *See Handbook on Filing Procedures*, https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf. Persons with questions regarding filing should contact the Office of the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, Respondent must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainants’ counsel.¹

¹ Complainants must file a letter with the Secretary identifying the attorney to receive reports (continued...)

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

**VI.
Recordkeeping and Inspection**

A. For the purpose of determining or securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, transfer, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

B. For the purpose of determining or securing compliance with this Order, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

**VII.
Service of Cease and Desist Order**

The Secretary shall serve copies of this Order upon each party of record in this investigation that has retained counsel or otherwise provided a point of contact for electronic service and upon CBP.

associated with this Order. The designated attorney must be on the protective order entered in this Investigation.

Respondent is ordered and directed to:

A. Serve, within fifteen days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, transfer, or sale of imported covered products in the United States;

B. Serve, within fifteen days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of this Order upon each successor; and

C. Maintain such records as will show the name, title, and address of each person upon whom this Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

D. The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect for twenty-six (26) years from the date of issuance of this Order.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to Sections V or VI of this Order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this Order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as

any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this Order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this Order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by Section III of this Order may be continued during the sixty (60) day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 FR 43251 (July 21, 2005)), subject to the Respondent's posting of a bond in the amount of one hundred (100%) of the value of each imported balanced armature device and a zero percent bond (0%) (*i.e.*, no bond) is to be posted for each product or components thereof containing a balanced armature device that is subject to this Order. This bond provision does not apply to conduct that is otherwise permitted by Section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by Complainant in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying documentation are to be provided to and approved by the Commission prior to the


commencement of conduct that is otherwise prohibited by Section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and any accompanying documentation on Complainants' counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

The bond is to be released in the event (i) the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, (ii) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (iii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission, upon service on Respondent of an order issued by the Commission based on application therefor made by Respondent to the Commission.

² See note 1 above.

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', written in a cursive style.

Lisa R. Barton
Secretary to the Commission

Issued: October 4, 2021

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON DC**

In the Matter of

**CERTAIN BALANCED ARMATURE
DEVICES, PRODUCTS CONTAINING
SAME, AND COMPONENTS
THEREOF**

Inv. No. 337- TA-1186

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT RESPONDENT Liang Li (a/k/a Ryan Li), Room 602, Building 48, Fengqing Shuiian Garden, Xizhou Road, Suzhou Industrial Park, Suzhou City 215028, Jiangsu Province, China, cease and desist from conducting any of the following activities in the United States: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), and soliciting U.S. agents or distributors for, and aiding or abetting other entities in the importation, sale for importation, sale after importation, or transfer (except for exportation), or distribution of certain balanced armature devices, products containing same, and components of said products (as defined in Definition (H) below) by reason of misappropriation of one or more of Representative Trade Secrets 1-10 owned by Complainants, Knowles Corporation, Knowles Electronics, LLC, and Knowles Electronics (Suzhou) Co., Ltd., and asserted in this Investigation (as defined in Definition (G) below) (*see* Compl. ¶¶ 68-78 and accompanying exhibits) in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

**I.
Definitions**

As used in this Order:

A. “Commission” shall mean the United States International Trade Commission.

B. “Complainants” shall collectively mean Knowles Corporation and Knowles Electronics, LLC, 1151 Maplewood Drive, Itasca, IL 60143; and Knowles Electronics (Suzhou) Co., Ltd., No. 20, Chunxing Road, Xiangcheng District, Suzhou, 215131, Jiangsu Province, China.

C. “Respondent” shall mean Liang Li (a/k/a Ryan Li), Room 602, Building 48, Fengqing Shuian Garden, Xizhou Road, Suzhou Industrial Park, Suzhou City 215028, Jiangsu Province, ChinaBellsing Corporation, 3333 Warrenville Rd, #155, Lisle, IL 60532.

D. “Person” shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or Respondent’s majority owned, controlled, or otherwise affiliated subsidiaries, successors, or assigns.

E. “United States” shall mean the fifty States, the District of Columbia, and Puerto Rico.

F. The terms “import” and “importation” refer to importation for entry for consumption under the Customs laws of the United States, including entry for consumption from a foreign trade zone, entry into a bonded warehouse or foreign trade zone, or withdrawal from a warehouse for consumption.

G. The term “Representative Trade Secrets” shall mean Complainants’ Representative Trade Secrets 1-10 asserted in this Investigation.

H. The term “covered products” shall mean certain balanced armature devices, products containing same, and components of said products that are made with or use one or more of the Representative Trade Secrets. Covered products shall not include articles for which a provision of law or license avoids liability.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of Respondent's employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned and/or affiliated business entities, successors, and assigns, and to each of them insofar as they are engaging in conduct prohibited by Section III, *infra*, for, with, or otherwise on behalf of Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order. For a period of twenty-six (26) years from the date of issuance of this Order, Respondent shall not:

- A. use or disclose the Representative Trade Secrets;
- B. import or sell for importation into the United States covered products;
- C. sell, offer for sale, advertise, transfer (except for exportation), market, or distribute in the United States imported covered products;
- D. solicit U.S. agents or distributors for imported covered products;
- E. install the covered products into downstream products with knowledge of, or intention for, importation into or sale in the United States, or provide covered products to others for purposes of incorporation into downstream products intended for importation into or sale in the United States; or
- F. aid or abet other entities in the importation, sale for importation, sale after importation, transfer, or distribution of covered products, including aiding and abetting others with incorporation of covered articles into downstream products intended for importation into or sale in the United States.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Representative Trade Secrets licenses or authorizes such specific conduct.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this Order through June 30, 2022. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that Respondent has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above. Submissions should refer to the investigation number (“Inv. No. 337-TA-1186”) in a prominent place on the cover pages and/or the first page. *See Handbook on Filing Procedures*, https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf. Persons with questions regarding filing should contact the Office of the Secretary (202-205-2000). If Respondent desires

to submit a document to the Commission in confidence, Respondent must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainants' counsel.¹

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI. Recordkeeping and Inspection

A. For the purpose of determining or securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, transfer, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

B. For the purpose of determining or securing compliance with this Order, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

¹ Complainants must file a letter with the Secretary identifying the attorney to receive reports associated with this Order. The designated attorney must be on the protective order entered in this Investigation.

VII.

Service of Cease and Desist Order

The Secretary shall serve copies of this Order upon each party of record in this investigation that has retained counsel or otherwise provided a point of contact for electronic service and upon CBP.

Respondent is ordered and directed to:

A. Serve, within fifteen days after the effective date of this Order, a copy of this Order upon each of its respective managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, transfer, or sale of imported covered products in the United States;

B. Serve, within fifteen days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of this Order upon each successor; and

C. Maintain such records as will show the name, title, and address of each person upon whom this Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

D. The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect for twenty-six (26) years from the date of issuance of this Order.

VIII.

Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to Sections V or VI of this Order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this Order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this Order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this Order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by Section III of this Order may be continued during the sixty (60) day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 FR 43251 (July 21, 2005)), subject to the Respondent's posting of a bond in the amount of one hundred (100%) of the value of each imported balanced armature device and a zero percent bond (0%) (*i.e.*, no bond) is to be posted for each product or components thereof containing a balanced armature device that is subject to this Order. This bond provision does not apply to conduct that is otherwise permitted by Section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by Complainant in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying documentation are to be provided to and approved by the Commission prior to the commencement of conduct that is otherwise prohibited by Section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and any accompanying documentation on Complainants' counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

The bond is to be released in the event (i) the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, (ii) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (iii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission, upon service on Respondent of an order issued by the Commission based on application therefor made by Respondent to the Commission.

² *See* note 1 above.

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', written in a cursive style.

Lisa R. Barton
Secretary to the Commission

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Inv. No. 337- TA-1186

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT RESPONDENT Suzhou Bellsing Acoustic Technology Co., Ltd., No. 668, Fengting Avenue, Suzhou Industrial Park, Suzhou, Jiangsu, China, cease and desist from conducting any of the following activities in the United States: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), and soliciting U.S. agents or distributors for, and aiding or abetting other entities in the importation, sale for importation, sale after importation, or transfer (except for exportation), or distribution of certain balanced armature devices, products containing same, and components of said products (as defined in Definition (H) below) by reason of misappropriation of one or more of Representative Trade Secrets 1-10 owned by Complainants, Knowles Corporation, Knowles Electronics, LLC, and Knowles Electronics (Suzhou) Co., Ltd., and asserted in this Investigation (as defined in Definition (G) below) (*see* Compl. ¶¶ 68-78 and accompanying exhibits) in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

**I.
Definitions**

As used in this Order:

- A. “Commission” shall mean the United States International Trade Commission.

B. “Complainants” shall collectively mean Knowles Corporation and Knowles Electronics, LLC, 1151 Maplewood Drive, Itasca, IL 60143; and Knowles Electronics (Suzhou) Co., Ltd., No. 20, Chunxing Road, Xiangcheng District, Suzhou, 215131, Jiangsu Province, China.

C. “Respondent” shall mean Suzhou Bellsing Acoustic Technology Co., Ltd., No. 668, Fengting Avenue, Suzhou Industrial Park, Suzhou, Jiangsu, China.

D. “Person” shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or Respondent’s majority owned, controlled, or otherwise affiliated subsidiaries, successors, or assigns.

E. “United States” shall mean the fifty States, the District of Columbia, and Puerto Rico.

F. The terms “import” and “importation” refer to importation for entry for consumption under the Customs laws of the United States, including entry for consumption from a foreign trade zone, entry into a bonded warehouse or foreign trade zone, or withdrawal from a warehouse for consumption.

G. The term “Representative Trade Secrets” shall mean Complainants’ Representative Trade Secrets 1-10 asserted in this Investigation.

H. The term “covered products” shall mean certain balanced armature devices, products containing same, and components of said products that are made with or use one or more of the Representative Trade Secrets. Covered products shall not include articles for which a provision of law or license avoids liability.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of Respondent’s principals, stockholders, officers, directors, employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned and/or affiliated

business entities, successors, and assigns, and to each of them insofar as they are engaging in conduct prohibited by Section III, *infra*, for, with, or otherwise on behalf of Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order. For a period of twenty-six (26) years from the date of issuance of this Order, Respondent shall not:

- A. use or disclose the Representative Trade Secrets;
- B. import or sell for importation into the United States covered products;
- C. sell, offer for sale, advertise, transfer (except for exportation), market, or distribute in the United States imported covered products;
- D. solicit U.S. agents or distributors for imported covered products;
- E. install the covered products into downstream products with knowledge of, or intention for, importation into or sale in the United States, or provide covered products to others for purposes of incorporation into downstream products intended for importation into or sale in the United States; or
- F. aid or abet other entities in the importation, sale for importation, sale after importation, transfer, or distribution of covered products, including aiding and abetting others with incorporation of covered articles into downstream products intended for importation into or sale in the United States.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Representative Trade Secrets licenses or authorizes such specific conduct.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this Order through June 30, 2022. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that Respondent has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above. Submissions should refer to the investigation number (“Inv. No. 337-TA-1186”) in a prominent place on the cover pages and/or the first page. *See Handbook on Filing Procedures*, https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf. Persons with questions regarding filing should contact the Office of the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, Respondent must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainants’ counsel.¹

¹ Complainants must file a letter with the Secretary identifying the attorney to receive reports (continued...)

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI.
Recordkeeping and Inspection

A. For the purpose of determining or securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, transfer, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

B. For the purpose of determining or securing compliance with this Order, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

VII.
Service of Cease and Desist Order

The Secretary shall serve copies of this Order upon each party of record in this investigation that has retained counsel or otherwise provided a point of contact for electronic service and upon CBP.

associated with this Order. The designated attorney must be on the protective order entered in this Investigation.

Respondent is ordered and directed to:

A. Serve, within fifteen days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, transfer, or sale of imported covered products in the United States;

B. Serve, within fifteen days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of this Order upon each successor; and

C. Maintain such records as will show the name, title, and address of each person upon whom this Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

D. The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect for twenty-six (26) years from the date of issuance of this Order.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to Sections V or VI of this Order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this Order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as

any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this Order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this Order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by Section III of this Order may be continued during the sixty (60) day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 FR 43251 (July 21, 2005)), subject to the Respondent's posting of a bond in the amount of one hundred (100%) of the value of each imported balanced armature device and a zero percent bond (0%) (*i.e.*, no bond) is to be posted for each product or components thereof containing a balanced armature device that is subject to this Order. This bond provision does not apply to conduct that is otherwise permitted by Section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by Complainant in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying documentation are to be provided to and approved by the Commission prior to the

commencement of conduct that is otherwise prohibited by Section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and any accompanying documentation on Complainants' counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

The bond is to be released in the event (i) the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, (ii) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (iii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission, upon service on Respondent of an order issued by the Commission based on application therefor made by Respondent to the Commission.

² See note 1 above.

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', enclosed within a circular flourish.

Lisa R. Barton
Secretary to the Commission

Issued: October 4, 2021

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON DC**

In the Matter of

**CERTAIN BALANCED ARMATURE
DEVICES, PRODUCTS CONTAINING
SAME, AND COMPONENTS
THEREOF**

Inv. No. 337- TA-1186

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT RESPONDENT Dongguan Bellsing Precision Device Co., Ltd., Fifth Industry Zone, Xieshan Village, Xiegang Town, Dongguan, Guangdong, China, cease and desist from conducting any of the following activities in the United States: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), and soliciting U.S. agents or distributors for, and aiding or abetting other entities in the importation, sale for importation, sale after importation, or transfer (except for exportation), or distribution of certain balanced armature devices, products containing same, and components of said products (as defined in Definition (H) below) by reason of misappropriation of one or more of Representative Trade Secrets 1-10 owned by Complainants, Knowles Corporation, Knowles Electronics, LLC, and Knowles Electronics (Suzhou) Co., Ltd., and asserted in this Investigation (as defined in Definition (G) below) (*see* Compl. ¶¶ 68-78 and accompanying exhibits) in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

**I.
Definitions**

As used in this Order:

- A. “Commission” shall mean the United States International Trade Commission.

B. “Complainants” shall collectively mean Knowles Corporation and Knowles Electronics, LLC, 1151 Maplewood Drive, Itasca, IL 60143; and Knowles Electronics (Suzhou) Co., Ltd., No. 20, Chunxing Road, Xiangcheng District, Suzhou, 215131, Jiangsu Province, China.

C. “Respondent” shall mean Dongguan Bellsing Precision Device Co., Ltd., Fifth Industry Zone, Xieshan Village, Xiegang Town, Dongguan, Guangdong, China.

D. “Person” shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or Respondent’s majority owned, controlled, or otherwise affiliated subsidiaries, successors, or assigns.

E. “United States” shall mean the fifty States, the District of Columbia, and Puerto Rico.

F. The terms “import” and “importation” refer to importation for entry for consumption under the Customs laws of the United States, including entry for consumption from a foreign trade zone, entry into a bonded warehouse or foreign trade zone, or withdrawal from a warehouse for consumption.

G. The term “Representative Trade Secrets” shall mean Complainants’ Representative Trade Secrets 1-10 asserted in this Investigation.

H. The term “covered products” shall mean certain balanced armature devices, products containing same, and components of said products that are made with or use one or more of the Representative Trade Secrets. Covered products shall not include articles for which a provision of law or license avoids liability.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of Respondent’s principals, stockholders, officers, directors, employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned and/or affiliated

business entities, successors, and assigns, and to each of them insofar as they are engaging in conduct prohibited by Section III, *infra*, for, with, or otherwise on behalf of Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order. For a period of twenty-six (26) years from the date of issuance of this Order, Respondent shall not:

- A. use or disclose the Representative Trade Secrets;
- B. import or sell for importation into the United States covered products;
- C. sell, offer for sale, advertise, transfer (except for exportation), market, or distribute in the United States imported covered products;
- D. solicit U.S. agents or distributors for imported covered products;
- E. install the covered products into downstream products with knowledge of, or intention for, importation into or sale in the United States, or provide covered products to others for purposes of incorporation into downstream products intended for importation into or sale in the United States; or
- F. aid or abet other entities in the importation, sale for importation, sale after importation, transfer, or distribution of covered products, including aiding and abetting others with incorporation of covered articles into downstream products intended for importation into or sale in the United States.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Representative Trade Secrets licenses or authorizes such specific conduct.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this Order through June 30, 2022. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that Respondent has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above. Submissions should refer to the investigation number (“Inv. No. 337-TA-1186”) in a prominent place on the cover pages and/or the first page. *See Handbook on Filing Procedures*, https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf. Persons with questions regarding filing should contact the Office of the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, Respondent must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainants’ counsel.¹

¹ Complainants must file a letter with the Secretary identifying the attorney to receive reports (continued...)

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

**VI.
Recordkeeping and Inspection**

A. For the purpose of determining or securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, transfer, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

B. For the purpose of determining or securing compliance with this Order, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

**VII.
Service of Cease and Desist Order**

The Secretary shall serve copies of this Order upon each party of record in this investigation that has retained counsel or otherwise provided a point of contact for electronic service and upon CBP.

associated with this Order. The designated attorney must be on the protective order entered in this Investigation.

Respondent is ordered and directed to:

A. Serve, within fifteen days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, transfer, or sale of imported covered products in the United States;

B. Serve, within fifteen days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of this Order upon each successor; and

C. Maintain such records as will show the name, title, and address of each person upon whom this Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

D. The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect for twenty-six (26) years from the date of issuance of this Order.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to Sections V or VI of this Order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this Order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as

any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this Order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this Order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by Section III of this Order may be continued during the sixty (60) day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 FR 43251 (July 21, 2005)), subject to the Respondent's posting of a bond in the amount of one hundred (100%) of the value of each imported balanced armature device and a zero percent bond (0%) (*i.e.*, no bond) is to be posted for each product or components thereof containing a balanced armature device that is subject to this Order. This bond provision does not apply to conduct that is otherwise permitted by Section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by Complainant in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying documentation are to be provided to and approved by the Commission prior to the

commencement of conduct that is otherwise prohibited by Section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and any accompanying documentation on Complainants' counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

The bond is to be released in the event (i) the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, (ii) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (iii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission, upon service on Respondent of an order issued by the Commission based on application therefor made by Respondent to the Commission.

² See note 1 above.

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', written in a cursive style.

Lisa R. Barton
Secretary to the Commission

Issued: October 4, 2021

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON DC**

In the Matter of

**CERTAIN BALANCED ARMATURE
DEVICES, PRODUCTS CONTAINING
SAME, AND COMPONENTS
THEREOF**

Inv. No. 337- TA-1186

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT RESPONDENT Shenzhen Bellsing Acoustic Technology Co., Ltd., 12F, San Hang Technology Building, No. 45, Gao Xin Nan 9th Road, Nanshan District, Shenzhen, China, cease and desist from conducting any of the following activities in the United States: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), and soliciting U.S. agents or distributors for, and aiding or abetting other entities in the importation, sale for importation, sale after importation, or transfer (except for exportation), or distribution of certain balanced armature devices, products containing same, and components of said products (as defined in Definition (H) below) by reason of misappropriation of one or more of Representative Trade Secrets 1-10 owned by Complainants, Knowles Corporation, Knowles Electronics, LLC, and Knowles Electronics (Suzhou) Co., Ltd., and asserted in this Investigation (as defined in Definition (G) below) (*see* Compl. ¶¶ 68-78 and accompanying exhibits) in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

**I.
Definitions**

As used in this Order:

A. “Commission” shall mean the United States International Trade Commission.

B. “Complainants” shall collectively mean Knowles Corporation and Knowles Electronics, LLC, 1151 Maplewood Drive, Itasca, IL 60143; and Knowles Electronics (Suzhou) Co., Ltd., No. 20, Chunxing Road, Xiangcheng District, Suzhou, 215131, Jiangsu Province, China.

C. “Respondent” shall mean Shenzhen Bellsing Acoustic Technology Co., Ltd., 12F, San Hang Technology Building, No. 45, Gao Xin Nan 9th Road, Nanshan District, Shenzhen, China.

D. “Person” shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or Respondent’s majority owned, controlled, or otherwise affiliated subsidiaries, successors, or assigns.

E. “United States” shall mean the fifty States, the District of Columbia, and Puerto Rico.

F. The terms “import” and “importation” refer to importation for entry for consumption under the Customs laws of the United States, including entry for consumption from a foreign trade zone, entry into a bonded warehouse or foreign trade zone, or withdrawal from a warehouse for consumption.

G. The term “Representative Trade Secrets” shall mean Complainants’ Representative Trade Secrets 1-10 asserted in this Investigation.

H. The term “covered products” shall mean certain balanced armature devices, products containing same, and components of said products that are made with or use one or more of the Representative Trade Secrets. Covered products shall not include articles for which a provision of law or license avoids liability.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of Respondent’s principals, stockholders, officers, directors, employees, agents, distributors,

controlled (whether by stock ownership or otherwise) and majority-owned and/or affiliated business entities, successors, and assigns, and to each of them insofar as they are engaging in conduct prohibited by Section III, *infra*, for, with, or otherwise on behalf of Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order. For a period of twenty-six (26) years from the date of issuance of this Order, Respondent shall not:

- A. use or disclose the Representative Trade Secrets;
- B. import or sell for importation into the United States covered products;
- C. sell, offer for sale, advertise, transfer (except for exportation), market, or distribute in the United States imported covered products;
- D. solicit U.S. agents or distributors for imported covered products;
- E. install the covered products into downstream products with knowledge of, or intention for, importation into or sale in the United States, or provide covered products to others for purposes of incorporation into downstream products intended for importation into or sale in the United States; or
- F. aid or abet other entities in the importation, sale for importation, sale after importation, transfer, or distribution of covered products, including aiding and abetting others with incorporation of covered articles into downstream products intended for importation into or sale in the United States.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the

Representative Trade Secrets licenses or authorizes such specific conduct.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this Order through June 30, 2022. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that Respondent has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above. Submissions should refer to the investigation number (“Inv. No. 337-TA-1186”) in a prominent place on the cover pages and/or the first page. *See Handbook on Filing Procedures*, https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf. Persons with questions regarding filing should contact the Office of the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, Respondent must file the original and a

public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainants' counsel.¹

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI. Recordkeeping and Inspection

A. For the purpose of determining or securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, transfer, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

B. For the purpose of determining or securing compliance with this Order, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

¹ Complainants must file a letter with the Secretary identifying the attorney to receive reports associated with this Order. The designated attorney must be on the protective order entered in this Investigation.

VII.

Service of Cease and Desist Order

The Secretary shall serve copies of this Order upon each party of record in this investigation that has retained counsel or otherwise provided a point of contact for electronic service and upon CBP.

Respondent is ordered and directed to:

A. Serve, within fifteen days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, transfer, or sale of imported covered products in the United States;

B. Serve, within fifteen days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of this Order upon each successor; and

C. Maintain such records as will show the name, title, and address of each person upon whom this Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

D. The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect for twenty-six (26) years from the date of issuance of this Order.

VIII.

Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to Sections V or VI of this Order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX.
Enforcement

Violation of this Order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this Order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X.
Modification

The Commission may amend this Order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI.
Bonding

The conduct prohibited by Section III of this Order may be continued during the sixty (60) day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 FR 43251 (July 21, 2005)), subject to the Respondent's posting of a bond in the amount of one hundred (100%) of the value of each imported balanced armature device and a zero percent bond (0%) (*i.e.*, no bond) is to be posted for each product or components thereof containing a balanced armature device that is subject to this Order. This bond provision does not apply to conduct that is otherwise permitted by Section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by Complainant in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying documentation are to be provided to and approved by the Commission prior to the commencement of conduct that is otherwise prohibited by Section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and any accompanying documentation on Complainants' counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

The bond is to be released in the event (i) the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, (ii) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (iii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission, upon service on Respondent of an order issued by the Commission based on application therefor made by Respondent to the Commission.

² *See* note 1 above.

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', written in a cursive style.

Lisa R. Barton
Secretary to the Commission

Issued: October 4, 2021