

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

**In the Matter of**

**CERTAIN LOOM KITS FOR CREATING  
LINKED ARTICLES**

**Investigation No. 337-TA-923**

**GENERAL EXCLUSION ORDER**

The 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 of certain loom kits for creating linked articles covered by claim 4 of U.S. Patent No. 8,485,565 (“the ’565 patent”) asserted in this investigation.

Having reviewed the record in this investigation, including the written submissions of the parties, the Commission has made its determinations on the issues of remedy, the public interest, and bonding. The Commission has determined that a general exclusion from entry for consumption is necessary to prevent circumvention of an exclusion order limited to products of named persons and because there is a pattern of violation of section 337 and it is difficult to identify the source of infringing products. Accordingly, the Commission has determined to issue a general exclusion order prohibiting the unlicensed importation of infringing loom kits for creating linked articles (“covered products”).

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 Presidential review period shall be in the amount of 100 percent of the entered value for all covered products in question.

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

1. Loom kits for creating linked articles covered by claim 4 of the '565 patent are excluded from entry into the United States for consumption, entry for consumption from a foreign-trade zone, or withdrawal from a warehouse for consumption, for the remaining term of the patent, except under license of the patent owner or as provided by law.
2. Notwithstanding paragraph 1 of this Order, the aforesaid loom kits for creating linked articles 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 bond in the amount of one hundred (100) percent of the entered value of the products, pursuant to subsection (j) of Section 337 (19 U.S.C. § 1337(j)) and the Presidential memorandum for the United States Trade Representative of July 21, 2005 (70 Fed. Reg. 43,251), 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 days after the date of receipt of this Order.
3. At the discretion of U.S. Customs and Border Protection ("CBP") and pursuant to procedures that it establishes, persons seeking to import loom kits for creating linked 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.

4. In accordance with 19 U.S.C. § 1337(l), the provisions of this Order shall not apply to loom kits for creating linked articles imported by and for the use of the United States, or imported for, and to be used for, the United States with the authorization or consent of the Government.
5. The Commission may modify this Order in accordance with the procedures described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).
6. The Commission Secretary shall serve copies of this Order upon each party of record in this investigation and upon the Department of Health and Human Services, the Department of Justice, the Federal Trade Commission, and U.S. Customs and Border Protection.
7. Notice of this Order shall be published in the *Federal Register*.

By order of the Commission.



Lisa R. Barton  
Secretary to the Commission

Issued: May 21, 2015

**PUBLIC CERTIFICATE OF SERVICE**

I, Lisa R. Barton, hereby certify that the attached **COMMISSION ORDER** has been served by hand upon the Commission Investigative Attorney, John K. Shin Esq., and the following parties as indicated, on **May 21, 2015**.



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

**On Behalf of Complainant Choon's Design Inc.:**

Timothy J. Murphy, Esq.  
**CARLSON, GASKEY & OLDS, P.C.**  
400 W. Maple Rd., Ste. 350  
Birmingham, MI 48009

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: \_\_\_\_\_

**Respondents:**

Island In The Sun LLC  
175 Courts Lane  
Little Rock, AR 72222

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: \_\_\_\_\_

Quality Innovations Inc.  
12941 Ramona Boulevard, Suite D  
Irwindale, CA 91706

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: \_\_\_\_\_

Yiwu Mengwang Craft & Art Factory  
7F, 2 Unit, No. 290 of Jingfa Road  
Yiwu City, Zhejiang  
China

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: \_\_\_\_\_

Shenzhen Xuncent Technology Co., Ltd  
2nd Floor-A, Bldg. 1, Building 1, 5, 6,  
Zhulongtian Road, Fourth Industrial Zone  
Shuitian Community, Shiyuan Street, Baoan Dist.  
Shenzhen, Guangdong  
China

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: \_\_\_\_\_

**CERTAIN LOOM KITS FOR CREATING LINKED ARTICLES**

**Inv. No. 337-TA-923**

Certificate of Service – Page 2

My Imports USA LLC  
75 Ethel Road,  
Edison, NJ 08817

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: \_\_\_\_\_

Jayfinn LLC  
3875 E. Cloudburst Dr.  
Gilbert, AZ 85297

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: \_\_\_\_\_

Hongkong Haoguan Plastic Hardware Co., Limited  
Industry Part of Gong Chuang Ying, No. 8 of  
NanDan Road of Nanwan Street, Long Gang District  
Shenzhen, Guangdong  
China 518100

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: \_\_\_\_\_

Blinkee.com, LLC  
769 Center St., PMB 58  
Fairfax, CA 94930

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: \_\_\_\_\_

Eyyup Arga  
194 Westminster Place  
Lodi, NJ 07644

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: \_\_\_\_\_

Itcoolnomore  
Room 401, Unit 3, Building 15, Xiawan  
G 2nd District Yiwu  
Jinhua, Zhejiang  
China 322000

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: \_\_\_\_\_