

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN MOVABLE BARRIER
OPERATOR SYSTEMS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1118

**NOTICE OF ISSUANCE OF INITIAL DETERMINATION ON VIOLATION OF
SECTION 337 WITH A RECOMMENDATION ON REMEDY AND BOND**

Administrative Law Judge MaryJoan McNamara

(November 25, 2019)


I have issued today in this Investigation the Final Initial Determination (“ID”) on Violation of Section 337 of the Tariff Act, as amended, 19 U.S.C. § 1337 (“Section 337”), with a recommendation on remedy and bond.

I have found that Complainant The Chamberlain Group, Inc. (“Complainant” or “CGI”) has not proven by a preponderance of evidence that Respondents Nortek, Inc., Nortek Security & Control, LLC f/k/a Linear, LLC, and GTO Access Systems, LLC f/k/a/ Gates That Open, LLC (collectively, “Respondents” or “Nortek”) have violated subsection (b) of Section 337 of the Tariff Act of 1930, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain movable barrier operator systems and components thereof. This finding applies to U.S. Patent No. 8,587,404, U.S. Patent No. 7,755,223 and U.S. Patent No. 6,741,052.

One or more of CGI’s domestic industry products have been found to satisfy the technical prong of the domestic industry requirement. CGI has been found to have satisfied the economic prong of the domestic industry prong in a separate filing.

In the event that the Commission does not uphold the findings of the ID, an alternative recommendation is provided on the issues of Remedy and Bond.

SO ORDERED.



MaryJoan McNamara
Administrative Law Judge