

**UNITED STATES INTERNATIONAL TRADE COMMISSION**

**Washington, D.C.**

**In the Matter of**

**CERTAIN INDUSTRIAL AUTOMATION  
SYSTEMS AND COMPONENTS THEREOF  
INCLUDING CONTROL SYSTEMS,  
CONTROLLERS, VISUALIZATION  
HARDWARE, MOTION CONTROL  
SYSTEMS, NETWORKING EQUIPMENT,  
SAFETY DEVICES, AND POWER  
SUPPLIES**

**Inv. No. 337-TA-1074**

**NOTICE OF FINAL INITIAL DETERMINATION ON VIOLATION OF SECTION 337;  
AND RECOMMENDED DETERMINATION ON REMEDY, BONDING, AND THE  
PUBLIC INTEREST**

(October 23, 2018)

On this date, I have issued a final initial determination in this investigation pursuant to Commission Rule 210.42(a)(1)(i). For the reasons discussed therein, it is my final initial determination that there is a violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, in the importation into the United States, the sale for importation, and/or the sale within the United States after importation of certain industrial automation systems and components thereof including control systems, controllers, visualization hardware, motion control systems, networking equipment, safety devices, and power supplies.

The parties remaining in this investigation are Complainant Rockwell Automation, Inc. (“Rockwell”); the Office of Unfair Import Investigations (“Staff”); and Respondents Can Electric Limited (“Can Electric”); Fractioni (Hongkong) Ltd. (“Fractioni”); GreySolution Limited d/b/a Fibica (“GreySolution”); KBS Electronics Suzhou Co, Ltd. (“KBS”); Shanghai EuoSource Electronic Co., Ltd. (“EuoSource”); ShenZhen T-Tide Trading Co., Ltd. (“T-Tide”);

SoBuy Commercial (HK) Co. Limited (“SoBuy”); Suzhou Yi Micro Optical Co., Ltd. (“Yi Micro”); and Yaspro Electronics (Shanghai) Co., Ltd. (“Yaspro”), who have been found in default (collectively, the “Defaulted Respondents”).

In the initial determination, I have made the following conclusions of law:

1. The Commission has subject matter jurisdiction over this investigation and *in rem* jurisdiction over the imported Rockwell products.
2. There has been an importation into the United States, sale for importation, or sale within the United States after importation of Rockwell products by the Defaulted Respondents.
3. The Defaulted Respondents have violated the Lanham Act by their sale and importation of gray market Rockwell products infringing the asserted trademarks.
4. Rockwell has established a domestic industry in the asserted trademarks.
5. The Defaulted Respondents have not been shown to have infringed the asserted copyrights.
6. Rockwell has established a domestic industry in the asserted copyrights.
7. The Defaulted Respondents have not been shown to have tortiously interfered with Rockwell contracts.
8. Rockwell has not shown substantial injury to a domestic industry in connection with the alleged tortious interference.

Pursuant to Commission Rule 210.5(f), a public version of the final initial determination shall issue within 30 days. 19 C.F.R. § 210.5(f).

**SO ORDERED.**

---

Dee Lord  
Administrative Law Judge