

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of)

CERTAIN SOFT-EDGED TRAMPOLINES)
AND COMPONENTS THEREOF)

) Investigation No. 337-TA-908
)
)

NOTICE OF INITIAL DETERMINATION ON VIOLATION OF SECTION 337

Administrative Law Judge Thomas B. Pender
(December 5, 2014)

On this date, I issued an initial determination on violation of section 337 and recommended determination in the above-referenced investigation. Below are my Initial Determination and the conclusions of law from said filing, which are a matter of public record. A complete public version of the Initial Determination will issue when all the parties have submitted their redactions and I have had an opportunity to review the redactions.

SO ORDERED.



Thomas B. Pender
Administrative Law Judge

Public Version

INITIAL DETERMINATION AND ORDER

Based on the foregoing, it is the Initial Determination of this Administrative Law Judge that there is no violation of Section 337 of the Tariff Act of 1930, as amended, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain soft-edged trampolines and components thereof, in connection with the claims of U.S. Patent No. 6,319,174. Furthermore, it is the determination of this Administrative Law Judge that a domestic industry in the United States does not exist that practices or exploits U.S. Patent No. 6,319,174.

CONCLUSIONS OF LAW

1. The Commission has personal jurisdiction over the parties and subject-matter jurisdiction over the accused products.
2. The importation or sale requirement of Section 337 is satisfied.
3. The accused Vuly Thunder Trampolines infringe claims 1 and 13 of U.S. Patent No. 6,319,174.
4. The Springfree DI Products do not practice claim 1 of the '174 patent.
5. The Springfree DI Products practice claim 13 of the '174 patent.
6. Claim 1 of the '174 patent has not been shown to be invalid.
7. Claim 13 is invalid as anticipated pursuant to 35 U.S.C. § 102.
8. The domestic industry requirement is not met.
9. There has been no violation of Section 337.