

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN ELECTRICAL
CONNECTORS, COMPONENTS
THEREOF, AND PRODUCTS
CONTAINING THE SAME**

Investigation No. 337-TA-1043

**NOTICE OF COMMISSION DETERMINATION TO EXTEND THE DATE FOR
DETERMINING WHETHER TO REVIEW A FINAL INITIAL DETERMINATION
FINDING A VIOLATION OF SECTION 337**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“the Commission”) has determined to extend the date for determining whether to review a final initial determination (“ID”) of the presiding administrative law judge (“ALJ”) finding a violation of section 337 to June 24, 2019.

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436, telephone (202) 708-2310. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on March 14, 2017, based on a complaint filed by J.S.T. Corporation (“JST”) of Farmington Hills, Michigan. 82 *Fed. Reg.* 13654-55. The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, based on the importation and sale of certain electrical connectors, components thereof, and products containing the same by reason of infringement of claims 2, 4, and 9-10 of U.S. Patent No. 7,004,766 (“the ’766 patent”). The complaint further alleges the existence of a domestic industry. The Commission’s notice of investigation named the following respondents: Robert Bosch GmbH

of Baden-Wuerttemberg, Germany; Bosch Automotive Products (Suzhou) Co., Ltd. of Jiangsu, China; and Hon Hai Precision Industry Co., Ltd. of New Tapei City, Taiwan (collectively, “the non-importing respondents”); Robert Bosch LLC of Broadview, Illinois; Robert Bosch, Sistemas Automatrices, S.A. de C.V. of Chihuahua, Mexico; Foxconn Interconnect Technology, Ltd. of New Tapei City, Taiwan (collectively, “the remaining respondents”); and Robert Bosch, Ltda. (“Bosch Brazil”) of Sao Paulo, Brazil. The Office of Unfair Import Investigations is not participating in the investigation. Bosch Brazil has been terminated from the investigation. *See* Order No. 68 (November 8, 2018), *unreviewed by* Comm’n Notice (December 3, 2018). Two IDs granting respondents’ motions for summary determination of invalidity of one or more asserted claims of the ’766 patent due to indefiniteness have been reversed by the Commission. *See* Order No. 24 (October 16, 2017), *reversed by* Comm’n Notice (March 26, 2018); Order No. 30 (May 18, 2018), *reversed by* Comm’n Notice (July 24, 2018).

On April 12, 2019, the ALJ issued his final ID finding a violation of section 337. The ID finds that the non-importing respondents do not satisfy the importation requirement of section 337(a)(1)(B). The ID further finds that the remaining respondents’ accused products infringe asserted claims 2, 4, and 9-10 of the ’766 patent. The ID also finds that the asserted claims are not invalid under 35 USC 102, 103. In addition, the ID finds that JST satisfied both prongs of the domestic industry requirement with respect to the ’766 patent. In the same document, the ALJ recommended that if the Commission finds a violation it should issue a limited exclusion order directed to respondents’ infringing products and no cease and desist orders.

On April 29, 2019, respondents petitioned, and JST contingently petitioned, for review of the final ID. On May 7, 2019, JST and respondents each filed a response in opposition to the other party’s petition for review.

The Commission has determined to extend the date for determining whether to review the final ID to June 24, 2019.

The authority for the Commission’s determination is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, and in part 210 of the Commission’s Rules of Practice and Procedure, 19 CFR part 210.

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: June 6, 2019