

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN ROBOTIC VACUUM
CLEANING DEVICES AND
COMPONENTS THEREOF SUCH AS
SPARE PARTS**

Investigation No. 337-TA-1057

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN
INITIAL DETERMINATION (ORDER NO. 29) GRANTING SUMMARY
DETERMINATION OF NON-INFRINGEMENT OF U.S. PATENT NO. 9,486,924**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (the “Commission”) has determined not to review an initial determination (Order No. 29) (the “ID”) of the presiding administrative law judge (“ALJ”) granting summary determination of non-infringement of U.S. Patent No. 9,486,924 (the ’924 patent). This investigation is terminated as to the ’924 patent.

FOR FURTHER INFORMATION CONTACT: Ron Traud, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436, telephone (202) 205-3427. 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 <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://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 under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), on May 23, 2017, based on a complaint filed by iRobot Corporation of Bedford, MA (“iRobot”). 82 F.R. 23592, 23592-93 (May 23, 2017). The complaint alleges a violation of section 337 by reason of infringement of certain claims of U.S. Patent Nos. 6,809,490; 7,155,308; 8,474,090; 8,600,553; 9,038,233; and 9,486,924. The complaint named as respondents Bissell Homecare, Inc. of Grand Rapids, MI; Hoover, Inc. of Glenwillow, OH; Royal Appliance Manufacturing Co., Inc. d/b/a TTI Floor Care North America, Inc. of Glenwillow, OH; Bobsweep, Inc. of Toronto, Canada; Bobsweep USA of Henderson, NV; The Black & Decker Corporation of Towson, MD;

Black & Decker (U.S.) Inc. of Towson, MD; Shenzhen ZhiYi Tchnology Co., Ltd., d/b/a iLife of Shenzhen, China; Matsutec Enterprises Co., Ltd. of Taipei City, Taiwan; Suzhou Real Power Electric Appliance Co., Ltd. of Suzhou, China; and Shenzhen Silver Star Intelligent Technology Co., Ltd. of Shenzhen, China. *Id.* at 23593. The Office of Unfair Import Investigations is not a party in this investigation. *Id.*

On December 7, 2017, respondents Shenzhen Zhiyi Technology Co., Ltd.; Shenzhen Silver Star Intelligent Technology Co., Ltd.; Hoover Inc.; and Royal Appliance Manufacturing Co. d/b/a TTI Floor Care North America, Inc. (collectively, “the Moving Respondents”) filed an Unopposed Motion for Summary Determination of Non-Infringement of U.S. Patent No. 9,486,924. The Moving Respondents simultaneously filed a Memorandum and a Statement of Undisputed Facts (“SUF”) in support of the motion. The ’924 patent is not asserted against the other respondents.

On December 14, 2017, the ALJ issued the ID. The ID finds that, based upon the SUF, it is undisputed that the Moving Respondents’ accused products do not meet the limitations reciting the term “instructions,” as found in claims 1, 2, 8, 9, 12, and 13 of the ’924 patent. The ID therefore finds that there is no genuine issue of material fact that the Moving Respondents’ accused products do not infringe the ’924 patent. Based on the foregoing, the ID grants the subject motion.

On December 21, 2017, iRobot filed a petition seeking review of the ID, and on January 4, 2018, the Moving Respondents filed a response thereto. The Commission has determined not to review the ID.

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: January 16, 2018