

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN BAR CODE READERS, SCAN
ENGINES, PRODUCTS CONTAINING THE
SAME, AND COMPONENTS THEREOF**

Investigation No. 337-TA-1061

**NOTICE OF COMMISSION DECISION
NOT TO REVIEW AN INITIAL DETERMINATION GRANTING
AN UNOPPOSED MOTION FOR SUMMARY DETERMINATION OF
JURISDICTION, OWNERSHIP, STANDING, AND IMPORTATION**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (“ID”) (Order No. 19) of the presiding administrative law judge (“ALJ”) granting an unopposed motion for summary determination of jurisdiction, ownership, standing, and importation with respect to U.S. Patent No. 7,148,923; U.S. Patent No. 6,832,725; and U.S. Patent No. 7,527,206.

FOR FURTHER INFORMATION CONTACT: Houda Morad, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708-4716. 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 on June 27, 2017, based on a complaint filed by Honeywell International, Inc. of Morris Plains, New Jersey; Hand Held Products, Inc. d/b/a Honeywell Scanning & Mobility of Fort Mill, South Carolina; Metrologic Instruments, Inc. d/b/a Honeywell Scanning & Mobility of Fort Mill, South Carolina (collectively, “Complainants” or “Honeywell”). *See* 82 FR 29095-96 (June 27, 2017). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain bar code readers, scan engines, products

containing the same, and components thereof by reason of infringement of claims 1 and 4-6 of U.S. Patent No. 6,832,725 (“the ’725 patent”); claims 1-4 and 6-10 of U.S. Patent No. 8,511,572 (“the ’572 patent”); claims 1-6, 8, 10-12, and 19-33 of U.S. Patent No. 7,148,923 (“the ’923 patent”); claims 1, 3, 6-11, 14, 17-20, 23, and 26-28 of U.S. Patent No. 7,527,206 (“the ’206 patent”); claims 1-3, 5, 7-12, 14, 16-20, 22, 24-27, 30, and 32 of U.S. Patent No. 8,646,692 (“the ’692 patent”); and claims 1-3, 5, 6, 8-11, and 13 of U.S. Patent No. 9,323,969 (“the ’969 patent”). *See id.* The notice of institution names The Code Corporation (“Code”) of Draper, Utah and Cortex Pte Ltd. (“Cortex”) of Singapore as respondents in this investigation. *See id.* The Office of Unfair Import Investigations is not a party to this investigation. *See id.* On December 8, 2017, the ALJ issued an initial determination terminating the investigation with respect to Cortex as a respondent. *See Order No. 12, unreviewed, Comm’n Notice (Jan. 5, 2018).* The ALJ also partially terminated the investigation with respect to claim 5 of the ’725 patent; claims 1-4 and 6-10 of the ’572 patent; claims 1-6, 8, 10-12, 19-28, and 31 of the ’923 patent; claims 1, 3, and 6-10 of the ’206 patent; all asserted claims of the ’969 patent; and all asserted claims of the ’692 patent. *See Orders Nos. 11-12 (Dec. 8, 2017), unreviewed, Comm’n Notice (Jan. 5, 2018); Order No. 13 (Dec. 12, 2017), unreviewed, Comm’n Notice (Jan. 12, 2018); Order No. 14 (Dec. 21, 2017), unreviewed, Comm’n Notice (Jan. 17, 2018); Order No. 15 (Dec. 21, 2017), unreviewed, Comm’n Notice (Jan. 17, 2018).*

On December 22, 2017, Honeywell filed an unopposed motion for summary determination of jurisdiction, ownership, standing, and importation (*Motion*). On February 8, 2018, the ALJ issued the ID (Order No. 19) granting Honeywell’s *Motion*. The ID finds that: (1) “the Commission has personal jurisdiction over Code”; (2) “Honeywell is the owner of all substantive rights in the asserted patents” and “[a]s a result . . . has standing in this investigation”; and (3) “undisputed evidence demonstrates that the importation requirement has been satisfied.” *See ID at 2-3.* No petition for review of the subject ID was filed.

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: March 12, 2018