

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN MOUNTING APPARATUSES
FOR HOLDING PORTABLE
ELECTRONIC DEVICES AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1086

INSTITUTION OF INVESTIGATION

Institution of Investigation pursuant to 19 U.S.C.1337

AGENCY: U.S. International Trade Commission

ACTION: Notice

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on October 24, 2017, under section 337 of the Tariff Act of 1930, as amended, on behalf of National Products Inc. of Seattle, Washington. A supplement to the complaint was filed on November 3, 2017. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain mounting apparatuses for holding portable electronic devices and components thereof by reason of infringement of U.S. Patent No. 8,544,161 (“the ’161 Patent”); U.S. Patent No. D703,657 (“the ’657 Patent”); U.S. Patent No. 8,186,636 (“the ’636 Patent”); U.S. Patent No. D571,278 (“the ’278 Patent”); U.S. Patent No. D574,204 (“the ’204 Patent”); U.S. Patent No. 9,568,148 (“the ’148 Patent”); and U.S. Trademark Registration No. 4,254,086 (“the ’086 Trademark”). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a general, or in the alternative a limited exclusion order, and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is 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, S.W., Room 112, Washington, D.C. 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (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>.

FOR FURTHER INFORMATION CONTACT: Pathenia M. Proctor, Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

SUPPLEMENTARY INFORMATION:

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.10 (2017).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on November 21, 2017, **ORDERED THAT** –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine:

(a) whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain mounting apparatuses for holding portable electronic devices and components thereof by reason of infringement of one or more of claims 1-18 of the '161 patent; claim 1 of the '657 patent; claims 1-20 of the '636 patent; claim 1 of the '278 patent; claims 1 of the '204 patent; claims 1-13 of the '148 patent; and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(c) whether there is a violation of subsection (a)(1)(C) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain mounting apparatuses for holding portable electronic devices and components thereof by reason of infringement of the '086 trademark; and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

National Products Inc.
8410 Dallas Ave S.,
Seattle, WA 98108

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Shenzhen Chengshuo Technology Co., Ltd.
d/b/a WUPP
Building A, No. 18, Zhongbuqiao, Qixianqiao Village
Dalu Ind. Zone, Liangzhu Town,
Yuhang Dist., Hangzhou, Zhejiang, China

Foshan City Qishi Sporting Goods
Technology Co.,Ltd. d/b/a N-Star
Guangfo Road No. 71, Nanhai District,
Foshan City, Guangdong, China 258200

Chengdu MWUPP Technology Co., Ltd
Building 1, Third Floor, Door 15,
10 Jinkang Road; Wuhou District, Chengdu
City, Sichuan Province, China 610045

Shenzhen Yingxue Technology Co., Ltd.
d/b/a Yingxue Tech
Room 14H, Haojingmingyuan Phase II
No. 28 Zhengqing Road, Buji Town,
Longgang District, Shenzhen, China 518112

Shenzhen Shunsihang Technology Co., Ltd.
d/b/a BlueFire
Room 16D, Yonghuaafu, Building No. 1,
Longcheng Huafu, Longcheng St., Longgang
District, Shenzhen,
China 518172

Guangzhou Kean Products Co., Ltd.
Room 216-218, No. 275, D District, Zeng Cha
Road, Baiyun District, Guangzhou,
Guangdong, China

Prolech Electronics Limited
Building 2, Floor 2, Ba Fang Yuan Industrial
Gui Shan Road Number 9, Xixiang Town,
Baoan District, Shenzhen, China

Guangzhou Kaicheng Metal Produce Co.,
Ltd. d/b/a ZJMOTO
No. 17, Xijiu Street, Jinshazhou, Baiyun Dist.,
Guangzhou, Guangdong, China 510165

Shenzhen Smilin Electronic Technology
Co., Ltd.
40 Building, Niulanqian Village, Minzhi
Street, Baoan District, Shenzhen, Guangdong,
China 518131

Shenzhen New Dream Intelligent Plastic
Co., Ltd.
B511, Lanshang Innovation Park, No. 7,
Xinfeng Road, Longcheng Street, Longgang
District, Shenzhen, Guangdong, China 518172

(c) The Office of Unfair Import Investigations, U.S. International Trade
Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S.
International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the
named respondents in accordance with section 210.13 of the Commission's Rules of Practice and
Procedure, 19 C.F.R. 210.13. Pursuant to 19 C.F.R. 201.16(e) and 210.13(a), such responses
will be considered by the Commission if received not later than 20 days after the date of service
by the Commission of the complaint and the notice of investigation. Extensions of time for
submitting responses to the complaint and the notice of investigation will not be granted unless
good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in
this notice may be deemed to constitute a waiver of the right to appear and contest the allegations
of the complaint and this notice, and to authorize the administrative law judge and the
Commission, without further notice to the respondent, to find the facts to be as alleged in the
complaint and this notice and to enter an initial determination and a final determination
containing such findings, and may result in the issuance of an exclusion order or a cease and
desist order or both directed against the respondent.

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: November 21, 2017