

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN ROBOTIC FLOOR
CLEANING DEVICES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1252

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION GRANTING AN UNOPPOSED MOTION FOR
PARTIAL TERMINATION OF THE INVESTIGATION**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined not to review an initial determination (“ID”) (Order No. 23) of the presiding administrative law judge (“ALJ”), granting an unopposed motion for partial termination of the investigation based on withdrawal of certain allegations in the complaint.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone 202-205-2392. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.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 2, 2021. 86 FR 12206 (Mar. 2, 2021). The complaint, as amended and filed by iRobot Corporation of Bedford, MA (“iRobot”), alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain robotic floor cleaning devices and components thereof by reason of infringement of claims 1-4, 6-9, 12-15, 18, 20-23, 25, and 26 of U.S. Patent No. 9,884,423 (“the ’423 patent”); claims 1, 3, 4, 9, and 10 of U.S. Patent No. 10,813,517 (“the ’517 patent”); claims 1, 3-6, 8-10, 12-14, 16-19, 21-23, 25 and 26 of U.S. Patent No. 10,835,096 (“the ’096 patent”); claims 1, 8-12, 14, 16, 18, 19, 22-25, 32-34, 36, 37, 55, 56, and 62 of U.S. Patent No. 7,571,511 (“the ’511 patent”); and claims 1, 5, 6, 10, 12, and 13 of U.S. Patent No. 10,296,007 (“the ’007 patent”). *Id.* The complaint further

alleges that a domestic industry exists. *Id.* The Commission’s notice of investigation named as respondents SharkNinja Operating LLC of Needham, MA; SharkNinja Management LLC of Needham, MA; SharkNinja Management Co. of Needham, MA; SharkNinja Sales Co. of Needham, MA; EP Midco LLC of Needham, MA; and SharkNinja Hong Kong Co. Ltd. of Hong Kong (collectively, “SharkNinja”). *Id.* The Office of Unfair Import Investigations is not participating in the investigation. *Id.*

On September 2, 2021, iRobot filed an unopposed motion for partial termination of the investigation seeking to withdraw its allegations with respect to (i) claims 1, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 22, 24, 25, 32, 33, 34, 35, 37, 55, and 56 of the ’511 patent; (ii) claims 1, 2, 3, 4, 5, 6, 7, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, and 26 of the ’423 patent; (iii) claims 7, 8, 10, 11, and 12 of the ’007 patent; (iv) claim 3 of the ’517 patent; and (iv) claims 1, 4, 5, 7, 8, 9, 10, 12, 13, 14, 16, 18, 19, 20, 21, 22, 23, and 25 of the ’096 patent. ID at 1-2 (Sept. 9, 2021). Complainant iRobot did not allege infringement of claims 13, 15, 17, 20, and 35 of the ’511 patent; claims 5, 10, 11, 16, 17, 19 and 24 of the ’423 patent; claims 7, 8, and 11 of the ’007 patent; or claims 7 and 20 of the ’096 patent in the Complaint. It advanced these claims only for the purpose of establishing a domestic industry in each of the asserted patents.

On September 13, 2021, the ALJ issued the subject ID (Order No. 23) granting the motion. The ID found that the motion complies with the Commission’s Rules. *Id.* at 2. No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID. Complainant’s allegations with respect to claims 1, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 22, 24, 25, 32, 33, 34, 35, 37, 55, and 56 of the ’511 patent; claims 1, 2, 3, 4, 5, 6, 7, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, and 26 of the ’423 patent; claims 7, 8, 10, 11, and 12 of the ’007 patent; claim 3 of the ’517 patent; and claims 1, 4, 5, 7, 8, 9, 10, 12, 13, 14, 16, 18, 19, 20, 21, 22, 23, and 25 of the ’096 patent are withdrawn from the investigation.

The Commission vote for this determination took place on October 5, 2021.

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: October 5, 2021