

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN SMART WEARABLE
DEVICES, SYSTEMS, AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1398

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANTS' UNOPPOSED MOTION FOR
PARTIAL TERMINATION AS TO CERTAIN CLAIMS**

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. 15) of the presiding administrative law judge (“ALJ”) granting the complainants’ unopposed motion to terminate the above-captioned investigation as to claims 1, 3–6, and 8–11 of U.S. Patent No. 10,842,429 (“the ’429 patent”) and claims 6-10 of U.S. Patent No. 11,868,178 (“the ’178 patent”) based on partial withdrawal of the complaint as to those claims. The specified claims of the ’429 patent and the ’178 patent are terminated from the investigation.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3115. 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, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on April 17, 2024, based on a complaint filed on behalf of Ouraring, Inc. of San Francisco, California, and Ōura Health Oy of Finland (collectively, “Ōura,” or “Complainants”). 89 FR 27452-53 (Apr. 17, 2024). The complaint, as amended, 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 smart wearable devices, systems, and components thereof by reason of the infringement of certain claims of the ’178 patent; the ’429 patent; and U.S. Patent No. 11,868,179. The Commission’s notice of investigation

named as respondents Ultrahuman Healthcare Pvt. Ltd. of Karnataka, India; Ultrahuman Healthcare SP LLC of Abu Dhabi, UAE; Ultrahuman Healthcare Ltd. of London, United Kingdom; Guangdong Jiu Zhi Technology Co. Ltd. of Guangdong, China; RingConn LLC of Wilmington, Delaware; and Circular SAS of Paris, France. The Office of Unfair Import Investigations (“OUII”) is also a party in this investigation.

Subsequently, the ALJ issued an ID granting Ōura’s motion to amend its first amended complaint and the notice of investigation to change the name of respondent Guangdong Jiu Zhi Technology Co. Ltd. to Shenzhen Ninenovo Technology Limited because of a corporate name change, and to amend the address for RingConn LLC. Order No. 8 (May 3, 2024), *unreviewed by* 89 FR 48686–87 (June 7, 2024).

The ALJ also issued an ID granting a joint motion for partial termination of the investigation as to respondent Circular SAS based on settlement. Order No. 12 (July 9, 2024), *unreviewed by* Notice (Aug. 6, 2024).

Moreover, the ALJ issued an ID granting the complainants’ unopposed motion for partial termination as to certain claims. Order No. 13 (July 30, 2024), *unreviewed by* Notice (Aug. 22, 2024).

On September 6, 2024, Ōura filed a motion for partial termination of the investigation by withdrawal of certain claims. Motion Docket No. 1398-011 at 1 (EDIS Doc. ID 831602) (“Mot.”). The motion stated that it is unopposed by respondents Ultrahuman Healthcare Pvt. Ltd., Ultrahuman Healthcare Ltd., Ultrahuman Healthcare SP LLC, RingConn LLC, and Shenzhen Ninenovo Technology Limited. OUII supports the motion. OUII Resp. (EDIS Doc. ID 832161).

On September 16, 2024, the ALJ issued an ID (Order No. 15) granting the motion. The ID noted that the withdrawn claims are claims 1, 3–6, and 8–11 of the ’429 patent and claims 6–10 of the ’178 patent. *Id.* at 1 (citing Mot. at 1–2).

The ID noted that, as required by Commission Rule 210.21(a)(1), Ōura stated that “there are no agreements, written or oral, express or implied between the parties concerning the subject matter of this Investigation.” *Id.* at 2 (citing Mot. at 3). The ID further noted that OUII contended that Ōura’s motion substantially complies with the requirements of Commission Rule 210.21(a)(1). *Id.* (citing OUII Resp. at 2).

Based on the record, the ID found that there are no extraordinary circumstances that warrant denying Ōura’s motion and that the motion complies with Commission Rule 210.21(a)(1). *Id.*

No petitions for review of the ID were filed.

The Commission has determined not to review the ID (Order No. 15). The investigation is terminated as to claims 1, 3–6, and 8–11 of the ’429 patent and claims 6–10 of the ’178 patent.

The Commission vote for this determination took place on October 7, 2024.

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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', enclosed within a large, loopy oval flourish.

Lisa R. Barton
Secretary to the Commission

Issued: October 7, 2024