

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN STORAGE CONTAINERS
AND TOOLBOXES, ORGANIZERS,
COMPONENT BOXES, AND COOLERS**

Investigation No. 337-TA-1409

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN
INITIAL DETERMINATION TERMINATING THE INVESTIGATION AS TO
CERTAIN ASSERTED 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 chief administrative law judge (“CALJ”) granting an unopposed motion to terminate the investigation with respect to asserted claims 1-3, 5, 7, 9, and 11 of U.S. Patent No. 11,365,026 (“the ’026 patent”), claims 1-2, 6-7, 9-15, and 17-23 of U.S. Patent No. 11,794,952 (“the ’952 patent”), and claims 1, 3-4, 7, 9, 13, and 16 of U.S. Patent No. 11,952,167 (“the ’167 patent”).

FOR FURTHER INFORMATION CONTACT: Edward S. Jou, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3316. 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 July 19, 2024, based upon a complaint filed on behalf of Milwaukee Electric Tool Corporation of Brookfield, Wisconsin and Keter Home and Garden Products Ltd. of Israel (collectively, “Complainants”). 89 FR 58764-65 (July 19, 2024). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“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 storage containers and toolboxes, organizers, component boxes, and coolers by reason of the infringement of certain claims of the ’026 patent, the ’952 patent, and the ’167 patent. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337. The Commission’s notice of investigation named the respondent Klein Tools, Inc. of Lincolnshire, Illinois. The Office of Unfair Import Investigations is not a party to this investigation.

On January 6, 2025, Complainants filed a motion pursuant to Commission Rule 210.21(a)(1) (19 CFR 210.21(a)(1)) to terminate the investigation in part based on withdrawal of the complaint with respect to the certain asserted claims. Respondents did not oppose the motion.

On January 24, 2025, the CALJ issued the subject ID granting the motion. The CALJ found that the motion complied with the Commission's rules and no extraordinary circumstances prevented the granting of the motion. No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID. The investigation is hereby terminated with respect to asserted claims 1-3, 5, 7, 9, and 11 of the '026 patent, claims 1-2, 6-7, 9-15, and 17-23 of the '952 patent, and claims 1, 3-4, 7, 9, 13, and 16 of the '167 patent.

The Commission vote for this determination took place on February 18, 2025.

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: February 18, 2025