

**UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.**

In the Matter of

**CERTAIN PERSONAL
TRANSPORTERS, COMPONENTS
THEREOF, AND MANUALS
THEREFOR**

Investigation No. 337-TA-935

**NOTICE OF THE COMMISSION'S DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION TERMINATING RESPONDENT
TECH IN THE CITY BASED ON CONSENT ORDER; ISSUANCE OF A
CONSENT ORDER**

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 the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 24) terminating Tech in the City based on a consent order.

FOR FURTHER INFORMATION CONTACT: Amanda Pitcher Fisherow, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2737. 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, S.W., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://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 November 10, 2014, based on a complaint filed on behalf of Segway Inc. of Bedford, New Hampshire and DEKA Products Limited Partnership of Manchester, New Hampshire (collectively "Complainants"). 79 *Fed. Reg.* 66739-40 (Nov. 10, 2014). The complaint was filed on September 9, 2014; a supplement to the complaint was filed on September 19, 2014; and an amended complaint was filed on October 6, 2014. The amended complaint alleges violations

of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, in the sale for importation, importation, or sale within the United States after importation of certain personal transporters, components thereof, and manuals therefor by reason of infringement of certain claims of U.S. Patent No. 6,789,640; U.S. Patent No. 7,275,607; U.S. Patent No. 8,830,048; U.S. Design Patent No. D551,722; U.S. Design Patent No. D551,592; and Copyright Registration No. TX 7-800-563. The Commission's notice of investigation named the following respondents: PowerUnion (Beijing) Tech Co. Ltd. of Beijing, China; UPTECH Robotics Technology Co., Ltd. ("UPTECH") of Beijing, China; Beijing Universal Pioneering Robotics Co., Ltd. ("Universal Robotics") of Beijing, China; Beijing Universal Pioneering Technology Co., Ltd. ("Universal Technology") of Beijing, China; Ninebot Inc. of Beijing China; Ninebot Inc. of Newark, Delaware; Shenzhen INMOTION Technologies Co., Ltd. ("INMOTION") of Guangdong, China; Robstep Robot Co., Ltd. ("Robstep") of Guangdong, China; FreeGo High-Tech Corporation Limited ("FreeGo") of Shenzhen, China; Freego USA, LLC ("Freego USA") of Sibley, Iowa; Tech in the City of Honolulu, Hawaii; Roboscooters.com of Laurel Hill, North Carolina; and EcoBoomer Co. Ltd. ("EcoBoomer") of Malibu, California. A Commission investigative attorney (IA) is participating in the investigation. The Commission previously terminated Freego USA based on a consent order, and Robstep and INMOTION based on settlements; and found Universal Robotics, Universal Technology, EcoBoomer, FreeGo, and UPTECH in default.

On June 25, 2015, Complainants and Tech in the City filed a joint motion to terminate Tech in the City based on a consent order stipulation and proposed consent order. On July 2, 2015, the IA filed a response supporting the motion.

On July 8, 2015, the ALJ granted the motion. Order No. 24. The ALJ found that the consent order stipulation and the proposed consent order comply with the Commission's rules. *Id.* The ALJ also found there is no evidence that termination of the investigation as to Tech in the City would be contrary to the public interest. *Id.* at 3. No petitions for review were filed.

The Commission has determined not to review the subject 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 C.F.R. Part 210).

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: July 28, 2015