

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN AUTOMATED PUT WALLS
AND AUTOMATED STORAGE AND
RETRIEVAL SYSTEMS, ASSOCIATED
VEHICLES, ASSOCIATED CONTROL
SOFTWARE, AND COMPONENT
PARTS THEREOF**

Investigation No. 337-TA-1293

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION IN PART AS TO
CERTAIN PATENTS AND 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. 12) of the presiding chief administrative law judge (“CALJ”), granting a motion to terminate the above-captioned investigation in part as to United States Patent Nos. 8,104,601 (“the ’601 patent”) and 8,276,740 (“the ’740 patent”); claims 2–4, 6, 10, 12–17, 19, and 20 of United States Patent No. 8,622,194 (“the ’194 patent”); and claims 14, 17, and 21 of United States Patent No. 10,576,505 (“the ’505 patent”).

FOR FURTHER INFORMATION CONTACT: Ronald A. Traud, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3427. 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 January 27, 2022, based on a complaint filed on behalf of OPEX Corporation of Moorestown, New Jersey (“OPEX”). 87 FR 4290 (Jan. 27, 2022). The complaint alleged a violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain automated put walls and automated storage and retrieval systems,

associated vehicles, associated control software, and component parts thereof by reason of infringement of certain claims of the '601, '740, '194, and '505 patents. The complaint further alleged that an industry in the United States exists, as required by section 337. *Id.* The Commission's notice of investigation named as respondents HC Robotics (a.k.a. Huicang Information Technology Co., Ltd.), of Hangzhou City, China, and Invata, LLC (d/b/a Invata Intralogistics) of Conshohocken, Pennsylvania. *Id.* The Office of Unfair Import Investigations was not named as a party in this investigation. *Id.*

On September 16, 2022, OPEX filed an unopposed motion to terminate this investigation in part as to the '601 and '740 patents; claims 2–4, 6, 10, 12–17, 19, and 20 of the '194 patent; and claims 14, 17, and 21 of the '505 patent.

On September 23, 2022, the CALJ issued Order No. 12, the subject ID, which granted the motion. The subject ID found that the unopposed motion complied with the Commission's Rules and that no extraordinary circumstances warranted denying the motion. No party petitioned for review of the subject ID.

The Commission has determined not to review the subject ID.

The investigation is terminated in part as to the '601 and '740 patents; claims 2–4, 6, 10, 12–17, 19, and 20 of the '194 patent; and claims 14, 17, and 21 of the '505 patent.

The Commission vote for this determination took place on October 11, 2022.

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.



Katherine M. Hiner
Acting Secretary to the Commission

Issued: October 11, 2022