

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

**In the Matter of**

**CERTAIN GROUND FAULT CIRCUIT  
INTERRUPTERS AND PRODUCTS  
CONTAINING SAME**

**Investigation No. 337-TA-615**

**NOTICE OF COMMISSION FINAL DETERMINATION OF VIOLATION OF  
SECTION 337; TERMINATION OF INVESTIGATION; ISSUANCE OF LIMITED  
EXCLUSION ORDER AND CEASE-AND-DESIST ORDERS**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined that there is a violation of 19 U.S.C. § 1337 in the above-captioned investigation by respondents General Protecht Group, Inc. (“GPG”) of Zhejiang, China; Shanghai ELE Manufacturing Corporation (“ELE”) of Shanghai, China; Shanghai Meihao Electric, Inc. (“Meihao”) of Shanghai, China; Wenzhou Trimone Company (“Trimone”) of Zhejiang, China; Cheetah USA Corp. (“Cheetah”) of Sandy, Utah; Nicor Inc. (“Nicor”) of Albuquerque, New Mexico; Orbit Industries, Inc. (“Orbit”) of Los Angeles, California; The Designer’s Edge (“TDE”) of Bellevue, Washington; and Colacino Electric Supply, Inc. (“Colacino”) of Newark, New York by reason of infringement of one or more of claims 1, 7, and 8 of United States Patent No. 5,594,398 (“the ‘398 patent”); claims 14, 18, and 30 of United States Patent No. 7,283,340 (“the ‘340 patent”); claim 52 of United States Patent No. 7,154,718 (“the ‘718 patent”); and claims 1 and 15 of United States Patent No. 7,164,564 (“the ‘564 patent”). To remedy the violation it has found, the Commission has determined to issue a limited exclusion order and to issue cease-and-desist orders to certain respondents. The investigation is terminated.

**FOR FURTHER INFORMATION CONTACT:** Paul M. Bartkowski, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-5432. 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:** This investigation was instituted on September 18, 2007, based on a complaint filed by Pass & Seymour, Inc. ("P&S") of Syracuse, New York. The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain ground fault circuit interrupters and products containing the same by reason of infringement of certain claims of certain United States patents. The complaint named 15 respondents. After institution of the investigation, by separate initial determinations, each of which the Commission determined not to review, certain respondents were terminated from the investigation; the '340 patent was added to the investigation; P&S's motion for summary determination that it satisfied the economic prong of the domestic industry requirement was granted with respect to all asserted patents; and the investigation was terminated with respect to all claims except claims 1, 7, and 8 of the '398 patent, claim 1 of U.S. Patent No. 7,212,386 ("the '386 patent"), claims 14, 18, and 30 of the '340 patent, claims 1 and 15 of the '564 patent; claims 1, 2, 5, and 6 of U.S. Patent No. 7,256,973 ("the '973 patent"); and claim 52 of the '718 patent.

On September 24, 2008, the administrative law judge ("ALJ") issued his final initial determination ("ID"), finding a violation with section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain ground fault circuit interrupters and products containing same by reason of infringement of one or more of claims 1, 7, and 8 of the '398 patent; claims 14, 18, and 30 of the '340 patent; claim 1 of the '386 patent; claims 1 and 15 of the '564 patent; claim 1 of the '973 patent; and claim 52 of the '718 patent. Respondents ELE (in a joint brief with its respondent customers Cheetah, Colacino, Orbit, and Nicor), Meihao (in a joint brief with its respondent customer TDE), GPG, and Trimone each filed a petition for review of the ID. P&S and the Commission investigative attorney ("IA") each filed a response to the respondents' petitions for review.

On December 8, 2008, the Commission determined to review the ID in part. Specifically, the Commission determined to review: (1) the ALJ's construction of "unitary, electrically conducting member carrying a pair of spaced electrical contacts" in the '398 patent and related issues of infringement, domestic industry, and validity; (2) the ALJ's construction of "mounting means" in the '398 patent and related issues of infringement, domestic industry, and validity; (3) the ALJ's construction of "latching means" in the '398 patent and related issues of infringement, domestic industry, and validity; (4) the ALJ's conclusion that the asserted claims of the '340 patent are not invalid; (5) the ALJ's construction of "an actuator assembly configured to provide an actuator signal in response to the fault detection or the wiring state detection signal" in the '386 patent and related issues of infringement, domestic industry, and validity; (6) the ALJ's construction of "the circuit interrupter being configured to disconnect the first conductive path from the second conductive path in response to the actuator signal in the reset state" in the '386 patent and related issues of infringement, domestic industry, and validity; (7) the ALJ's determination regarding validity of the '386 patent; (8) the ALJ's determination of

infringement of the '973 patent regarding ELE's 2006 GFCIs; and (9) the ALJ's construction of "cantilever" in the '718 patent and related issues of infringement, domestic industry, and validity. In its notice of review, the Commission asked the parties remaining in the investigation to address certain questions in their written submissions regarding the issues under review. Each of the remaining private parties and the IA filed written submissions regarding the issues on review, and on remedy, bonding, and the public interest. In addition, non-respondent Hubbell Inc. ("Hubbell") submitted briefs on the issues of remedy, the public interest, and bonding.

Having examined the record of this investigation, the Commission has determined to make certain modifications to the ALJ's ID, as set forth in the Commission's opinion. Applying these modifications to the ALJ's ID, the Commission has determined that a violation of section 337 has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain ground fault circuit interrupters by respondents GPG, ELE, Meihao, Trimone, Cheetah, Nicor, Orbit, TDE, and Colacino by reason of infringement of one or more of claims 1, 7, and 8 of the '398 patent; claims 14, 18, and 30 of the '340 patent; claim 52 of the '718 patent; and claims 1 and 15 of the '564 patent. To remedy the violation it has found, the Commission has determined to issue a limited exclusion order, and to issue cease-and-desist orders to Cheetah, Colacino, Nicor, Orbit, and TDE. The Commission has determined that the public interest factors set out in section 337(d) do not preclude issuance of these remedial orders. Finally, the Commission has determined that the bond to permit temporary importation during the Presidential review period should be set at 100% of the entered value of the imported articles. The investigation is terminated.

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 section 210.45 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.45).

By order of the Commission.

Marilyn R. Abbott  
Secretary to the Commission

Issued: March 9, 2009