

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN MOUNTING APPARATUSES
FOR HOLDING PORTABLE
ELECTRONIC DEVICES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1086

**NOTICE OF A COMMISSION DETERMINATION TO CLARIFY THAT AN INITIAL
DETERMINATION GRANTING COMPLAINANT'S MOTION FOR SUMMARY
DETERMINATION OF VIOLATIONS OF SECTION 337 BY THE DEFAULTING
RESPONDENTS IS A 45-DAY INITIAL DETERMINATION**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to clarify that an initial determination ("ID") (Order No. 15) of the presiding administrative law judge ("ALJ"), granting complainant's motion for summary determination of violations of section 337 by the defaulting respondents, is a 45-day ID.

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, D.C. 20436, telephone (202) 708-2310. 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 <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://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 28, 2017, based on a complaint filed on behalf of National Products Inc. of Seattle, Washington. 82 FR 56266-67. The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, by reason of infringement of certain claims of U.S. Patent Nos. 8,544,161 ("the '161 patent"); D703,657; 8,186,636; D571,278; D574,204; and 9,568,148; and U.S. Trademark Registration No. 2,254,087. The Commission's notice of investigation named ten respondents, including Shenzhen Chengshuo Technology Co., Ltd., d/b/a WUPP of Zhejiang, China; Foshan City Qishi Sporting Goods, Technology Co., Ltd. d/b/a

N-Star, Guangzhou Kean Products Co., Ltd., Gangzhou Kaicheng Metal Produce Co., Shenzhen Smilin Electronic Technology, Co., Ltd., and Shenzhen New Dream Intelligent Plastic, Co., Ltd., all of Guangdong, China; Chengdu MWUPP Technology Co., Ltd. of Sichuan Province, China; and Shenzhen Yingxue Technology Co., Ltd., d/b/a Yingxue Tech, Shenzhen Shunsihang Technology Co., Ltd., d/b/a BlueFire, and Prolech Electronics Limited, all of Shenzhen, China. The Office of Unfair Import Investigations (“OUII”) is also a party to the investigation. All respondents in the investigation have been found in default.

On June 20, 2018, complainant filed a motion (as supplemented) for summary determination of violations of section 337 by the defaulting respondents and requested a general exclusion order (“GEO”). OUII supported the motion in part.

The ALJ issued the subject ID on November 28, 2018, granting the motion for summary determination in part. The ALJ did not find a violation as to the ’161 patent and recommended issuance of a GEO if the Commission finds a violation of section 337.

The Commission clarifies that the subject ID is a 45-day ID pursuant to Commission Rule 210.42(h)(6).

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.



Lisa R. Barton
Secretary to the Commission

Issued: December 4, 2018