

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN CHILD CARRIERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1154

NOTICE OF INSTITUTION OF INVESTIGATION

Institution of Investigation Pursuant to 19 U.S.C. 1337

AGENCY: U.S. International Trade Commission

ACTION: Notice

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on March 6, 2019, under section 337 of the Tariff Act of 1930, as amended, on behalf of LILLEbaby LLC of Golden, Colorado. LILLEbaby filed supplements to the complaint on March 25 and April 2, 2019. The complaint alleges violations of 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 child carriers and components thereof by reason of infringement of certain claims of U.S. Patent No. 8,172,116 (“the ’116 patent”) and U.S. Patent No. 8,424,732 (“the ’732 patent”). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a general exclusion order or, in the alternative, limited exclusion orders. The complainant also requests that the Commission issue cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is 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., Room 112, Washington, D.C. 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (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>.

FOR FURTHER INFORMATION CONTACT: Pathenia Proctor, Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

SUPPLEMENTARY INFORMATION:

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission’s Rules of Practice and Procedure, 19 C.F.R. 210.10 (2018).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on April 4, 2019, **ORDERED THAT** –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of products identified in paragraph (2) by reason of infringement of one or more of claims 1, 2, 5–7, 9, 11, 14–16, 18–20, and 23–25 of the ’116 patent and claims 1–14 of the ’732 patent; and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission’s Rules of Practice and Procedure, 19 C.F.R. 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is “child carriers wearable on the transporting individual”;

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

LILLEbaby LLC
700 12th Street
Golden, Colorado 80401

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

BabyBjorn AB
Kulltorpsvägen 49
Lanna SE-333 74 Bredaryd
Sweden

BabyBjorn Inc.
1270 Broadway, Room 508
New York, New York 10001

BabySwede LLC
1157 Rockside Road
Cleveland, Ohio 44134

Baby Tula LLC a/k/a New Baby Tula LLC
2640 Financial Ct.
San Diego, California 92117

Boba Inc. d/b/a Beco Baby Carrier
2033 11th Street, # 1
Boulder, Colorado 80302

ByKay BV
Kruisbergsewwg 44a
Wijchen, Gelderland, 6601 DD
The Netherlands

Artsana USA, Inc. f/k/a Chicco USA Inc.
1826 William Penn Way
Lancaster, Pennsylvania 17601

Cybex GmbH
Riedingerstr 18
Bayreuth 95448
Germany

Columbus Trading Partners USA, Inc.
560 Harrison Avenue
Boston, Massachusetts 02118

The Ergo Baby Carrier Inc.
617 W. 7th Street, Suite 1000
Los Angeles, California 90017

Blue Box OpCo LLC d/b/a Infantino
10025 Mesa Rim Road
San Diego, California 92121

Isara, Deneris Trade SRL
Str. Tautului Nr 21g Apt. 1
Floresti, Cluj 407280
Romania

Jonobaby Babytragen
Gutenbergstraße 17,
14467 Potsdam
Germany

Kokadi GmbH & Co. KG
Domagkstr. 7
85551 Kirchheim B.
Munich
Germany

Lenny Lamb Sp. z o.o. Sp.K
Domaniewska 37/2.43, 02-672
Warsaw
Poland

Minimonkey BV
Larikslaan 9
Amsterdam, Noord-Holland, 1087 SC
The Netherlands

Mountain Buggy USA a/k/a Phil & Teds USA Inc.
221 Jefferson Street
Fort Collins, Colorado 80524

Soul US Inc.
#82/2 New Timberyard Layout,
Mysore Road Bangalore,
Bangalore KA 560026
India

Stokke AS
Parkgata 6
Aalesund Møre og Romsda N-6001
Norway

Stokke LLC
5 High Ridge Park, Suite 105
Stamford, Connecticut 06905

Tingtao Sunveno Co., Ltd.
No. 11 Huqing Road, Sifang District
Qingdao, Shandong 266044
China

Wuxi Kangarouse Trading Co. Ltd. Enterprises d/b/a Kangarouse
8-1321, East Xihu Rd.
Wuxi, Jiangsu Province 214000
China

Jing Jiang Dimarco Packaging & Gifts Co. Ltd.
No.21st, Xinyi Road, Chengbei Section
Jingjiang Jiangsu 214500
China

Jiangsu Matrix Textile Co., Ltd.,
No.21st, Xinyi Road, Chengbei Section
Jingjiang Jiangsu 214500
China

Quanzhou Mingrui Bags Co. Ltd.
Room 301, No.3 Building, East JinPu Road
Hi-Tech Park JiangNan, FuQiao
Quanzhou Fujian 362000
China

L'Echarpe Porte Bonheur, Inc. d/b/a Chimparoo
7 - 25 Rue de Lauzon
Boucherville, QC J4B 1E7
Canada

Britax Child Safety, Inc.
4140 Pleasant Road
Fort Mill, South Carolina 29708

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondent in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.13. Pursuant to 19 C.F.R. 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of the respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

A handwritten signature in black ink, appearing to read "Lisa R. Barton". The signature is fluid and cursive, with the first name "Lisa" being the most prominent.

Lisa R. Barton
Secretary to the Commission

Issued: April 5, 2019