UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, DC

In the Matter of

CERTAIN INDUSTRIAL AUTOMATION SYSTEMS AND COMPONENTS THEREOF INCLUDING CONTROL SYSTEMS, CONTROLLERS, VISUALIZATION HARDWARE, MOTION AND MOTOR CONTROL SYSTEMS, NETWORKING EQUIPMENT, SAFETY DEVICES, AND POWER SUPPLIES

Inv. No. 337-TA-1074

CORRECTED GENERAL EXCLUSION ORDER

The Commission has determined that there is a violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), in the unlawful importation, sale for importation, or sale within the United States after importation of certain industrial automation systems and components thereof including control systems, controllers, visualization hardware, motion and motor control systems, networking equipment, safety devices, and power supplies that are covered by one or more of U.S. Trademark Registration Nos. 1,172,995; 696,401; 693,780; 1,172,994; 712,800; 712,836; 2,510,226; 2,671,196; 2,701,786; and 2,412,742 (collectively, "Asserted Trademarks").

Having reviewed the record of this investigation, including the written submissions of the parties, the Commission has made its determination on the issues of remedy, the public interest, and bonding. The Commission has determined pursuant to 19 U.S.C. § 1337(d)(2), that a general exclusion from entry for consumption is necessary (1) to prevent circumvention of an exclusion order limited to products of named persons or entities and (2) because there is a pattern of violation of section 337 and it is difficult to identify the source of infringing products.

Accordingly, the Commission has determined to issue a general exclusion order prohibiting the unlicensed entry of industrial automation systems and components thereof including control systems, controllers, visualization hardware, motion and motor control systems, networking equipment, safety devices, and power supplies that infringe one or more of the Asserted Trademarks.

The Commission has also determined that the public interest factors enumerated in 19 U.S.C. § 1337(d)(1) do not preclude the issuance of the general exclusion order. The Commission has further determined that a bond in the amount of 100% of the entered value of the infringing articles will be required during the period of Presidential review.

Accordingly, the Commission hereby **ORDERS** that:

- Industrial automation systems and components thereof including control systems, controllers, visualization hardware, motion and motor control systems, networking equipment, safety devices, and power supplies that infringe one or more of the Asserted Trademarks ("infringing articles") are excluded from entry for consumption into the United States, entry for consumption from a foreign trade zone, or withdrawal from a warehouse for consumption, except under license of the trademark owner or as provided by law, until such date as the Asserted Trademarks are abandoned, canceled, or rendered invalid or unenforceable.
- 2. Notwithstanding paragraph 1 of this Order, infringing articles are entitled to entry into the United States for consumption, entry for consumption from a foreign-trade zone, or withdrawal from a warehouse for consumption under bond in the amount of one hundred (100) percent of the entered value of the infringing

products pursuant to subsection (j) of Section 337 (19 U.S.C. § 1337(j)) and the Presidential Memorandum for the United States Trade Representative of July 21, 2005 (70 Fed. Reg. 43251), from the day after this Order is received by the United States Trade Representative until such time as the United States Trade Representative notifies the Commission that this Order is approved or disapproved but, in any event, not later than sixty (60) days after the date of receipt of this Order. All entries of infringing articles made pursuant to this paragraph are to be reported to U.S. Customs and Border Protection ("CBP") in advance of the date of the entry, pursuant to procedures CBP establishes.

- 3. At the discretion of CBP and pursuant to procedures that it establishes, persons seeking to import infringing articles that are potentially subject to this Order may be required to certify that they are familiar with the terms of this Order, that they have made appropriate inquiry, and thereupon state that, to the best of their knowledge and belief, the products being imported are not excluded from entry under paragraph 1 of this Order. At its discretion, CBP may require persons who have provided the certification described in this paragraph to furnish such records or analyses as are necessary to substantiate the certification.
- 4. In accordance with 19 U.S.C. § 1337(l), the provisions of this Order shall not apply to infringing articles imported by and for the use of the United States, or imported for, and to be used for, the United States with the authorization or consent of the Government.
- 5. Complainant Rockwell Automation, Inc. ("Rockwell") shall file a written statement with the Commission, made under oath, each year on the anniversary of

the issuance of this Order stating: (i) whether Rockwell continues to use each of

the Asserted Trademarks in commerce in the United States in connection with

industrial automation systems and components thereof including control systems,

controllers, visualization hardware, motion and motor control systems,

networking equipment, safety devices, and power supplies; (ii) whether any of the

Asserted Trademarks has been abandoned, canceled, or rendered invalid or

unenforceable; and (iii) whether Rockwell continues to satisfy the domestic

industry requirements of section 337(a)(2) and (3).

6. The Commission may modify this Order in accordance with the procedures

described in section 210.76 of the Commission's Rules of Practice and Procedure

(19 C.F.R. § 210.76).

7. The Secretary shall serve copies of this Order upon each party of record in this

investigation and upon CBP.

8. Notice of this Order shall be published in the Federal Register.

By order of the Commission.

Lisa R. Barton

Secretary to the Commission

Issued: October 27, 2020

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CERTAIN INDUSTRIAL AUTOMATION SYSTEMS AND COMPONENTS THEREOF INCLUDING CONTROL SYSTEMS, CONTROLLERS, VISUALIZATION HARDWARE, MOTION CONTROL SYSTEMS, NETWORKING EQUIPMENT, SAFETY DEVICES, AND POWER SUPPLIES

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **GENERAL EXCLUSION ORDER** has been served by hand upon the Commission Investigative Attorney and the following parties as indicated, on **October 27, 2020**.

Lisa R. Barton, Secretary U.S. International Trade Commission 500 E Street, SW, Room 112 Washington, DC 20436

On Behalf of Complainants Rockwell Automation, Inc.:

| Adam D. Swain ALSTON & BIRD LLP 950 F Street NW Washington, DC 20004 Email: adam.swain@alston.com | □ Via Hand Delivery □ Via Express Delivery □ Via First Class Mail ⋈ Other: Email Notification of Availability for Download |
|---|---|
| Respondents | |
| Fractioni (Hongkong) Ltd. #327 Siping Road Shanghai 200092 China | ☐ Via Hand Delivery ☐ Via Express Delivery ☐ Via First Class Mail ☑ Other: Service to Be Completed by Complainant |
| GreySolution Limited d/b/a Fibica Unit B601, 6/F Block A Universal Ind. Ctr. 19-25 Shan Mei St Sha Tin, Fo Tan, Hong Kong | ☐ Via Hand Delivery ☐ Via Express Delivery ☐ Via First Class Mail ☒ Other: Service to Be Completed by Complainant |
| | |

CERTAIN INDUSTRIAL AUTOMATION SYSTEMS AND COMPONENTS THEREOF INCLUDING CONTROL SYSTEMS, CONTROLLERS, VISUALIZATION HARDWARE, MOTION CONTROL SYSTEMS, NETWORKING EQUIPMENT, SAFETY DEVICES, AND POWER SUPPLIES

Certificate of Service – Page 2 KBS Electronics Suzhou Co, Ltd. ☐ Via Hand Delivery Block 7&43, No. 328 Hengyong Road, ☐ Via Express Delivery Jiading district, Shanghai, China, 201806 ☐ Via First Class Mail ☑ Other: Service to Be Completed by Complainant Shanghai EuoSource Electronic Co., Ltd ☐ Via Hand Delivery Block 43, No. 328, Hengyong Road ☐ Via Express Delivery Jiading District ☐ Via First Class Mail Shanghai, China 201806 ☑ Other: Service to Be Completed by Complainant ShenZhen T-Tide Trading co., Ltd. ☐ Via Hand Delivery Room A-60S, Block.lexi. ☐ Via Express Delivery Minle industrial park ☐ Via First Class Mail Mei Ban Road ' ☑ Other: Service to Be Longhua District, Shenzhen 51803 1 Completed by Complainant China SOBuyCommercial (HK) Co. Limited ☐ Via Hand Delivery Flat B G/F Yeung Yiu Chung (No. 6) ☐ Via Express Delivery Ind. Bldg. No. 19 Chetmg Shun Street ☐ Via First Class Mail Lai Chi Kok Kowloon ☑ Other: Service to Be Hong Kong Completed by Complainant Suzhou Yi Micro Optical Co., Ltd. ☐ Via Hand Delivery d/b/a Suzhou Yiwei Guangxue Youxiangongsi ☐ Via Express Delivery d/b/a Easy Micro-optics C0. LTD. ☐ Via First Class Mail Office Building 5F, 91 Weixin Rd ☑ Other: Service to Be Suzhou, SIP, Jiangsu Completed by Complainant China, 215021

CERTAIN INDUSTRIAL AUTOMATION SYSTEMS AND COMPONENTS THEREOF INCLUDING CONTROL SYSTEMS, CONTROLLERS, VISUALIZATION HARDWARE, MOTION CONTROL SYSTEMS, NETWORKING EQUIPMENT, SAFETY DEVICES, AND

Inv. No. 337-TA-1074

POWER SUPPLIES Certificate of Service – Page 3 Yaspro Electronics (Shanghai) Co., Ltd. ☐ Via Hand Delivery Room 1808E, No. 488, Vaohua Road ☐ Via Express Delivery **Pudong New District** ☐ Via First Class Mail Shanghai, China ☑ Other: Service to Be Completed by Complainant Can Electric Limited ☐ Via Hand Delivery No. 2 Danan Rd, Yueziu District ☐ Via Express Delivery Guangzhou, Guangdong, 510115 ☐ Via First Class Mail China ☑ Other: Service to Be Completed by Complainant

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, DC

In the Matter of

CERTAIN INDUSTRIAL AUTOMATION
SYSTEMS AND COMPONENTS THEREOF
INCLUDING CONTROL SYSTEMS,
CONTROLLERS, VISUALIZATION
HARDWARE, MOTION AND MOTOR
CONTROL SYSTEMS, NETWORKING
EQUIPMENT, SAFETY DEVICES, AND
POWER SUPPLIES

Inv. No. 337-TA-1074

GENERAL EXCLUSION ORDER

The Commission has determined that there is a violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), in the unlawful importation, sale for importation, or sale within the United States after importation of certain industrial automation systems and components thereof including control systems, controllers, visualization hardware, motion and motor control systems, networking equipment, safety devices, and power supplies that are covered by one or more of U.S. Trademark Registration Nos. 1,172,995; 696,401; 693,780; 1,172,994; 712,800; 712,836; 2,510,226; 2,671,196; 2,701,786; and 2,412,742 (collectively, "Asserted Trademarks").

Having reviewed the record of this investigation, including the written submissions of the parties, the Commission has made its determination on the issues of remedy, the public interest, and bonding. The Commission has determined pursuant to 19 U.S.C. § 1337(d)(2), that a general exclusion from entry for consumption is necessary (1) to prevent circumvention of an exclusion order limited to products of named persons or entities and (2) because there is a pattern of violation of section 337 and it is difficult to identify the source of infringing products.

Accordingly, the Commission has determined to issue a general exclusion order prohibiting the unlicensed entry of industrial automation systems and components thereof including control systems, controllers, visualization hardware, motion and motor control systems, networking equipment, safety devices, and power supplies that infringe one or more of the Asserted Trademarks.

The Commission has also determined that the public interest factors enumerated in 19 U.S.C. § 1337(d)(1) do not preclude the issuance of the general exclusion order. The Commission has further determined that a bond in the amount of 100% of the entered value of the infringing articles will be required during the period of Presidential review.

Accordingly, the Commission hereby **ORDERS** that:

- Industrial automation systems and components thereof including control systems, controllers, visualization hardware, motion and motor control systems, networking equipment, safety devices, and power supplies that infringe one or more of the Asserted Trademarks ("infringing articles") are excluded from entry for consumption into the United States, entry for consumption from a foreign trade zone, or withdrawal from a warehouse for consumption, except under license of the trademark owner or as provided by law, until such date as the Asserted Trademarks are abandoned, canceled, or rendered invalid or unenforceable.
- 2. Notwithstanding paragraph 1 of this Order, infringing articles are entitled to entry into the United States for consumption, entry for consumption from a foreign-trade zone, or withdrawal from a warehouse for consumption under bond in the amount of one hundred (100) percent of the entered value of the infringing

products pursuant to subsection (j) of Section 337 (19 U.S.C. § 1337(j)) and the Presidential Memorandum for the United States Trade Representative of July 21, 2005 (70 Fed. Reg. 43251), from the day after this Order is received by the United States Trade Representative until such time as the United States Trade Representative notifies the Commission that this Order is approved or disapproved but, in any event, not later than sixty (60) days after the date of receipt of this Order. All entries of infringing articles made pursuant to this paragraph are to be reported to U.S. Customs and Border Protection ("CBP") in advance of the date of the entry, pursuant to procedures CBP establishes.

- 3. At the discretion of CBP and pursuant to procedures that it establishes, persons seeking to import infringing articles that are potentially subject to this Order may be required to certify that they are familiar with the terms of this Order, that they have made appropriate inquiry, and thereupon state that, to the best of their knowledge and belief, the products being imported are not excluded from entry under paragraph 1 of this Order. At its discretion, CBP may require persons who have provided the certification described in this paragraph to furnish such records or analyses as are necessary to substantiate the certification.
- 4. In accordance with 19 U.S.C. § 1337(l), the provisions of this Order shall not apply to infringing articles imported by and for the use of the United States, or imported for, and to be used for, the United States with the authorization or consent of the Government.

- 5. The Commission may modify this Order in accordance with the procedures described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).
- 6. The Secretary shall serve copies of this Order upon each party of record in this investigation and upon CBP.
- 7. Notice of this Order shall be published in the Federal Register.

By order of the Commission.

Lisa R. Barton

Secretary to the Commission

Issued: April 8, 2019

CERTAIN INDUSTRIAL AUTOMATION SYSTEMS AND COMPONENTS THEREOF INCLUDING CONTROL SYSTEMS, CONTROLLERS, VISUALIZATION HARDWARE, MOTION CONTROL SYSTEMS, NETWORKING EQUIPMENT, SAFETY DEVICES, AND POWER SUPPLIES

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, **Brian Koo**, **Esq.**, and the following parties as indicated, on **April 9, 2019**.

Lisa R. Barton, Secretary U.S. International Trade Commission 500 E Street, SW, Room 112 Washington, DC 20436

On Behalf of Complainants Rockwell Automation, Inc.:

| Adam D. Swain ALSTON & BIRD LLP 950 F Street NW Washington, DC 20004 | □ Via Hand Delivery⊠ Via Express Delivery□ Via First Class Mail□ Other: |
|---|--|
| Respondents | |
| Fractioni (Hongkong) Ltd. #327 Siping Road Shanghai 200092 China | □ Via Hand Delivery⋈ Via Express Delivery□ Via First Class Mail□ Other: |
| GreySolution Limited d/b/a Fibica Unit B601, 6/F Block A Universal Ind. Ctr. 19-25 Shan Mei St Sha Tin, Fo Tan, Hong Kong | □ Via Hand Delivery⊠ Via Express Delivery□ Via First Class Mail□ Other: |
| KBS Electronics Suzhou Co, Ltd. Block 7&43, No. 328 Hengyong Road, Jiading district, Shanghai, China, 201806 | □ Via Hand Delivery⋈ Via Express Delivery□ Via First Class Mail□ Other: |

CERTAIN INDUSTRIAL AUTOMATION SYSTEMS AND COMPONENTS THEREOF INCLUDING CONTROL SYSTEMS, CONTROLLERS, VISUALIZATION HARDWARE, MOTION CONTROL SYSTEMS, NETWORKING EQUIPMENT, SAFETY DEVICES, AND POWER SUPPLIES

Certificate of Service – Page 2

| Shanghai EuoSource Electronic Co., Ltd Block 43, No. 328, Hengyong Road Jiading District Shanghai, China 201806 | □ Via Hand Delivery⊠ Via Express Delivery□ Via First Class Mail□ Other: |
|--|--|
| ShenZhen T-Tide Trading co., Ltd. Room A-60S, Block.lexi. Minle industrial park Mei Ban Road ' Longhua District, Shenzhen 51803 1 China | □ Via Hand Delivery⋈ Via Express Delivery□ Via First Class Mail□ Other: |
| SOBuyCommercial (HK) Co. Limited Flat B G/F Yeung Yiu Chung (No. 6) Ind. Bldg. No. 19 Chetmg Shun Street Lai Chi Kok Kowloon Hong Kong | ☐ Via Hand Delivery ☑ Via Express Delivery ☐ Via First Class Mail ☐ Other: |
| Suzhou Yi Micro Optical C0., Ltd. d/b/a Suzhou Yiwei Guangxue Youxiangongsi d/b/a Easy Micro-optics C0. LTD. Office Building 5F, 91 Weixin Rd Suzhou, SIP, Jiangsu China, 215021 | ☐ Via Hand Delivery ☑ Via Express Delivery ☐ Via First Class Mail ☐ Other: |
| Yaspro Electronics (Shanghai) Co., Ltd. Room 1808E,,No. 488, Vaohua Road Pudong New District Shanghai, China | □ Via Hand Delivery⋈ Via Express Delivery□ Via First Class Mail□ Other: |
| Can Electric Limited No. 2 Danan Rd, Yueziu District Guangzhou, Guangdong, 510115 China | ☐ Via Hand Delivery ☑ Via Express Delivery ☐ Via First Class Mail ☐ Other: |

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, DC

In the Matter of

CERTAIN INDUSTRIAL AUTOMATION SYSTEMS AND COMPONENTS THEREOF INCLUDING CONTROL SYSTEMS, CONTROLLERS, VISUALIZATION HARDWARE, MOTION AND MOTOR CONTROL SYSTEMS, NETWORKING EQUIPMENT, SAFETY DEVICES, AND POWER SUPPLIES

Inv. No. 337-TA-1074

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT Fractioni (Hongkong) Ltd. of Shanghai, China, cease and desist from conducting any of the following activities in the United States: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), and soliciting United States agents or distributors for industrial automation systems and components thereof including control systems, controllers, visualization hardware, motion and motor control systems, networking equipment, safety devices, and power supplies that infringe one or more of U.S. Trademark Registration Nos. 1,172,995; 696,401; 693,780; 1,172,994; 712,800; 712,836; 2,510,226; 2,671,196; 2,701,786; and 2,412,742 (collectively, "the Asserted Trademarks"), in violation of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337.

I. Definitions

As used in this order:

- (A) "Commission" shall mean the United States International Trade Commission.
- (B) "Complainant" shall mean Rockwell Automation, Inc. of Milwaukee, Wisconsin.

- (C) "Respondent" shall mean Fractioni (Hongkong) Ltd. of Shanghai, China.
- (D) "Person" shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity or its majority-owned or controlled subsidiaries, successors, or assigns.
- (E) "United States" shall mean the fifty States, the District of Columbia, and Puerto Rico.
- (F) The terms "import" and "importation" refer to importation for entry for consumption under the customs laws of the United States.
- (G) The term "covered products" shall mean industrial automation systems and components thereof including control systems, controllers, visualization hardware, motion and motor control systems, networking equipment, safety devices, and power supplies that infringe one or more of the Asserted Trademarks.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of its principals, stockholders, officers, directors, employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned business entities, successors, and assigns, and to each of them, insofar as they are engaging in conduct prohibited by section III, *infra*, for, with, or otherwise on behalf of, Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order.

While the Asserted Trademarks remain valid and enforceable, Respondent shall not:

- (A) import, sell for importation, or sell after importation into the United States covered products;
- (B) market, distribute, offer for sale, or otherwise transfer (except for exportation) in the United States imported covered products;
- (C) advertise imported covered products;
- (D) solicit U.S. agents or distributors for imported covered products; or
- (E) aid or abet other entities in the importation, sale for importation, sale after importation, transfer, or distribution of covered products.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Asserted Trademarks licenses or authorizes such specific conduct, or such specific conduct is related to the importation or sale of covered products by or for the United States, as applicable.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on January 1 of each year and shall end on the subsequent December 31. The first report required under this section shall cover the period from the date of issuance of this order through December 31, 2019. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that it has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in dollars of covered products that it has (i) imported and/or (ii) sold in the United States after importation during the reporting period,

and (b) the quantity in units and value in U.S. dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above and submit eight (8) true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.4(f)). Submissions should refer to the investigation number ("Inv. No. 337-TA-1074") in a prominent place on the cover pages and/or the first page. *See* Handbook for Electronic Filing Procedures, http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.

Persons with questions regarding filing should contact the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, it must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainant's counsel. ¹

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI. Record-Keeping and Inspection

(A) For the purpose of securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, or distribution in the United States of covered products, made and received in the usual and ordinary course of business,

¹ Complainant must file a letter with the Secretary identifying the attorney to receive reports and bond information associated with this Order. The designated attorney must be on the protective order entered in the investigation.

whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

(B) For the purposes of determining or securing compliance with this Order and for no other purpose, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

VII. Service of Cease and Desist Order

Respondent is ordered and directed to:

- (A) Serve, within fifteen (15) days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, or sale of imported covered products in the United States;
- (B) Serve, within fifteen (15) days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of the Order upon each successor; and
- (C) Maintain such records as will show the name, title, and address of each person upon whom the Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

The obligations set forth in subparagraphs VII(B) and VII (C) shall remain in effect until the Asserted Trademarks have been abandoned, canceled, or rendered invalid or unenforceable.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to section V of this Order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information reducted.

IX. Enforcement

Violation of this order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this Order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by section III of this order may be continued during the sixty-day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 Fed. Reg. 43251 (Jul. 21, 2005)), subject to Respondent posting of

a bond in the amount of 100 percent of the entered value of the covered products. This bond provision does not apply to conduct that is otherwise permitted by section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond as set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by complainants in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying documentation are to be provided to and approved by the Commission prior to the commencement of conduct that is otherwise prohibited by section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and accompanying documentation on Complainant's counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

This bond is to be released in the event the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, upon service on Respondent of an

² See Footnote 1.

order issued by the Commission based upon application therefore made by Respondent to the Commission.

By order of the Commission.

Lisa R. Barton

Secretary to the Commission

Issued: April 8, 2019

CERTAIN INDUSTRIAL AUTOMATION SYSTEMS AND COMPONENTS THEREOF INCLUDING CONTROL SYSTEMS, CONTROLLERS, VISUALIZATION HARDWARE, MOTION CONTROL SYSTEMS, NETWORKING EQUIPMENT, SAFETY DEVICES, AND POWER SUPPLIES

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, **Brian Koo**, **Esq.**, and the following parties as indicated, on **April 9**, **2019**.

Lisa R. Barton, Secretary U.S. International Trade Commission 500 E Street, SW, Room 112 Washington, DC 20436

On Behalf of Complainants Rockwell Automation, Inc.:

| Adam D. Swain ALSTON & BIRD LLP 950 F Street NW | ☐ Via Hand Delivery☑ Via Express Delivery☐ Via First Class Mail |
|---|---|
| Washington, DC 20004 | Other: |
| Respondents | |
| Fractioni (Hongkong) Ltd. #327 Siping Road Shanghai 200092 China | □ Via Hand Delivery ⋈ Via Express Delivery □ Via First Class Mail □ Other: |
| GreySolution Limited d/b/a Fibica Unit B601, 6/F Block A Universal Ind. Ctr. 19-25 Shan Mei St Sha Tin, Fo Tan, Hong Kong | □ Via Hand Delivery ⋈ Via Express Delivery □ Via First Class Mail □ Other: |
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CERTAIN INDUSTRIAL AUTOMATION SYSTEMS AND COMPONENTS THEREOF INCLUDING CONTROL SYSTEMS, CONTROLLERS, VISUALIZATION HARDWARE, MOTION CONTROL SYSTEMS, NETWORKING EQUIPMENT, SAFETY DEVICES, AND POWER SUPPLIES

Certificate of Service – Page 2

| Shanghai EuoSource Electronic Co., Ltd Block 43, No. 328, Hengyong Road Jiading District Shanghai, China 201806 | □ Via Hand Delivery ⋈ Via Express Delivery □ Via First Class Mail □ Other: |
|---|---|
| ShenZhen T-Tide Trading co., Ltd. Room A-60S, Block.lexi. Minle industrial park Mei Ban Road ' Longhua District, Shenzhen 51803 1 China | □ Via Hand Delivery ⋈ Via Express Delivery □ Via First Class Mail □ Other: |
| SOBuyCommercial (HK) Co. Limited Flat B G/F Yeung Yiu Chung (No. 6) Ind. Bldg. No. 19 Chetmg Shun Street Lai Chi Kok Kowloon Hong Kong | □ Via Hand Delivery ⋈ Via Express Delivery □ Via First Class Mail □ Other: |
| Suzhou Yi Micro Optical C0., Ltd. d/b/a Suzhou Yiwei Guangxue Youxiangongsi d/b/a Easy Micro-optics C0. LTD. Office Building 5F, 91 Weixin Rd Suzhou, SIP, Jiangsu China, 215021 | □ Via Hand Delivery ☑ Via Express Delivery □ Via First Class Mail □ Other: |
| Yaspro Electronics (Shanghai) Co., Ltd. Room 1808E,,No. 488, Vaohua Road Pudong New District Shanghai, China | □ Via Hand Delivery ⋈ Via Express Delivery □ Via First Class Mail □ Other: |
| Can Electric Limited No. 2 Danan Rd, Yueziu District Guangzhou, Guangdong, 510115 China | □ Via Hand Delivery ⋈ Via Express Delivery □ Via First Class Mail □ Other: |