

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN ELECTRONIC STUD
FINDERS, METAL DETECTORS AND
ELECTRICAL SCANNERS**

Inv. No. 337-TA-1221

**NOTICE REGARDING INITIAL DETERMINATION
ON VIOLATION OF SECTION 337**

(October 7, 2021)

On this date, the undersigned issued an initial determination on violation of section 337.¹ For the reasons discussed therein, it is held that no violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, has been found in the importation into the United States, the sale for importation, and/or the sale within the United States after importation of certain stud finders, metal detectors and electrical scanners for use in the home and commercial repair, construction, improvement and interior décor industry with respect to U.S. Patent No. 6,989,662 (“the ’662 patent”); U.S. Patent No. 8,604,771 (“the ’771 patent”); or U.S. Patent No. 9,475,185 (“the ’185 patent”).

This determination is based on the following conclusions of law:

1. The Commission has subject matter jurisdiction over this investigation, *in personam* jurisdiction over Respondents, and *in rem* jurisdiction over the accused electronic stud finders, metal detectors, and electrical scanners.
2. There has been an importation into the United States, sale for importation, or sale within the United States after importation of the accused products by the Respondents.
3. Certain accused products infringe claims 1, 9, and 16 of the ’662 patent.

¹ The initial determination has been issued with a confidential designation. A public version shall issue within 30 days, or in the time necessary to identify and redact the confidential business information therein, pursuant to Commission Rule 210.5(f).

4. Certain domestic industry products practice claims 1, 6, 8, 12, 13, 15, 16, and 17 of the '662 patent.
5. Claim 17 of the '662 patent is invalid as obvious.
6. No accused products infringe any asserted claims of the '771 patent.
7. Certain domestic industry products practice claims 1, 5, 9, 10, 13-15, and 22 of the '771 patent.
8. No asserted claims of the '771 patent have been shown to be invalid.
9. No accused products infringe any asserted claims of the '185 patent.
10. Certain domestic industry products practice claims 1, 2, 5-11, 13-15, 17, and 20-22 of the '185 patent.
11. No asserted claims of the '185 patent have been shown to be invalid.
12. The economic prong of the domestic industry requirement has not been satisfied with respect to any asserted patent.

SO ORDERED.



Charles E. Bullock
Chief Administrative Law Judge