

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

CERTAIN POWERED COVER PLATES

Investigation No. 337-TA-1124

**EXTENSION OF THE TARGET DATE FOR COMPLETION OF THE
INVESTIGATION**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to extend the target date for completion of this investigation until June 11, 2020.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-2392. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.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 the investigation on July 23, 2018, based on a complaint filed by SnapRays, LLC d/b/a SnapPower of Vineyard, UT ("SnapPower," or "Complainant"). 83 FR 34871 (July 23, 2018). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("section 337"), in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain powered cover plates by reason of infringement of certain claims of U.S. Patent Nos. 9,871,324; 9,882,361 ("the '361 patent"); 9,917,430; and U.S. Design Patent No. D819,426. *Id.* at 34872. The complaint further alleges that a domestic industry exists. *Id.* The Commission's notice of investigation named the following respondents: (1) Ontel Products Corporation of Fairfield, New Jersey; (2) Dazone, LLC of Ontario, Canada ("Dazone"); (3) Shenzhen C-Myway of Shenzhen, Guangdong, China; (4) E-Zshop4u LLC of Howey in the Hills, Florida; (5) Desteny Store of Fort Meyers, Florida ("Desteny"); (6) Zhongshan Led-Up Light Co., Ltd. of Zhongshan, Guangdong, China; (7) AllTrade Tools LLC of Cypress, California; (8) Guangzhou Sailu Info

Tech. Co., Ltd. of Guangzhou, Guangdong, China; (9) Zhejiang New-Epoch Communication Industry Co., Ltd. of Yueqing, Zhejiang, China (“NEPCI”); (10) KCC Industries of Eastvale, California; (11) Vistek Technology Co., Ltd. of Fuyong, Baoan, Shenzhen, China (“Vistek”); (12) Enstant Technology Co., Ltd. of Xixiang Baoan District, Shenzhen, China (“Enstant”); and (13) Manufacturers Components Incorporated of Pompano Beach, Florida (“MCI”). *Id.* The Office of Unfair Import Investigations is participating in the investigation.

The Commission previously terminated the investigation as to, or found in default, all named respondents except Enstant and Vistek (collectively, “Enstant/Vistek”). Order No. 5 (Sept. 26, 2018), *non-reviewed* Notice (Oct. 29, 2018); Order No. 6 (Sept. 26, 2018), *non-reviewed* Notice (Oct. 29, 2018); Order No. 8 (Sept. 28, 2018), *non-reviewed* Notice (Oct. 23, 2018); Order No. 12 (Oct. 2, 2018), *non-reviewed* Notice (Nov. 27, 2018); Order No. 18 (Nov. 28, 2018), *non-reviewed* Notice (Dec. 21, 2018); Order, No. 36 (Apr. 11, 2019), *non-reviewed* Notice (May 8, 2019).

Respondents Enstant/Vistek chose not to contest importation and infringement. Similarly, there were no genuine disputes of material fact with respect to the technical prong of the domestic industry (“DI”) requirement. As a result, the presiding administrative law judge (“ALJ”) decided these legal issues against Enstant and Vistek and the Defaulting Respondents through orders granting complainant SnapPower’s motions for summary determination. *See* Order No. 39 (July 10, 2019) (Importation and Infringement); Order No. 40 (July 22, 2019) (Technical DI).

On August 12, 2019, the ALJ issued an “Initial Determination on Violation of Section 337 and Recommended Determination on Remedy and Bond” (“ID/RD”) finding a violation of section 337 with respect to the participating respondents Enstant and Vistek and defaulting respondents Dazone, Desteny, MCI, and NEPCI (collectively, “Defaulting Respondents”) under all of the asserted patents. *See* ID/RD at 125-26.

On October 11, 2019, the Commission determined to review the final ID in part and to remand the investigation to the ALJ for a remand initial determination (“RID”) to address the final ID’s finding that Enstant/Vistek’s Redesign SD Motion is moot. 84 FR 55985-86 (Oct. 18, 2019).

On January 30, 2020, the ALJ issued an RID, granting Enstant’s Redesign SD Motion. The Commission determined not to review the RID. *See* 85 FR 21457-59 (Apr. 17, 2020). The Commission also requested written submissions on remedy, the public interest, and bonding. *Id.* at 21458-59.

On March 30, 2020, all parties to the investigation filed their opening written submissions on remedy, the public interest, and bonding. On April 7, 2020, all parties filed their responsive written submissions. No other submissions were received by the Commission.

The Commission has determined to extend the target date for completion of this investigation until June 11, 2020.

The Commission vote for this determination took place on June 10, 2020.

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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', with a stylized flourish at the end.

Lisa R. Barton
Secretary to the Commission

Issued: June 10, 2020