

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN PLAYARDS AND
STROLLERS**

Investigation No. 337-TA-1288

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION
AS TO CERTAIN ASSERTED PATENT CLAIMS**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (“ID”) (Order No. 21) of the presiding administrative law judge (“ALJ”), terminating the investigation as to certain asserted patent claims.

FOR FURTHER INFORMATION CONTACT: Sidney A. Rosenzweig, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 708-2532. 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 this investigation by publication in the Federal Register on December 27, 2021. 86 FR 73318 (Dec. 27, 2021). The complainant is Graco Children’s Products Inc., of Atlanta, GA, and Wonderland Nurserygoods Co., Ltd. of Taipei, Taiwan. Graco and Wonderland’s complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain playards and strollers by reason of infringement of claims 1–20 of U.S. Patent No. 9,706,855 (“the ’855 patent”); claims 1, 2, and 4–20 of U.S. Patent No. 9,414,694 (“the ’694 patent”); claims 8, 10–12, 14–20, 27, and 28 of U.S. Patent No. RE43,919 (“the ’919 patent”); and claims 1–6 of U.S. Patent No. 6,979,017 patent (“the ’017 patent”). *Id.* The complaint further alleged that a domestic industry exists. *Id.* The Commission’s notice of

investigation named as respondents Baby Trend, Inc. of Fontana, CA (“Baby Trend”); Golden Prosper of Guangdong, China (“Golden Prosper”); Sichuan Hobbies Baby Products Co., Ltd., of Sichuan, China (“Sichuan Hobbies”); and Anhui Chile Baby Products Co., Ltd. of Anhui Province, China (“Anhui Chile”). *Id.* The Office of Unfair Import Investigations is not participating in the investigation. *Id.* The Commission has previously terminated the investigation as to the ’017 patent and as to respondent Golden Prosper. Order No. 7 (Mar. 7, 2022), *not reviewed*, Notice (Apr. 1, 2022) (termination as to the ’017 patent); Order No. 8 (Mar. 23, 2022), *not reviewed*, Notice (Apr. 12, 2022) (termination as to Golden Prosper).

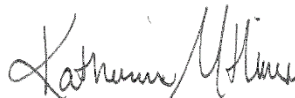
On November 14, 2022, the complainants filed an unopposed motion to partially terminate the investigation as to claims 3-9, 11-12, 14, and 16-20 of the ’855 patent; claims 2, 4-9, 11-17, and 19-20 of the ’694 patent; and claims 8, 10-12, 14-19, and 27-28 as to all respondents, as well as claim 20 of the ’919 patent as to respondents Sichuan Hobbies and Anhui Chile. On November 15, 2022, the ALJ issued the subject ID, granting the motion. The ID finds that the motion satisfies Commission Rule 210.21(a)(1), 19 CFR 210.21(a), and that “no extraordinary circumstances exist that would prevent the requested partial termination of the investigation.” ID at 2. No petitions for review of the ID were filed.

The Commission has determined not to review the ID. The investigation is terminated as to claims 3-9, 11-12, 14, and 16-20 of the ’855 patent; claims 2, 4-9, 11-17, and 19-20 of the ’694 patent; and claims 8, 10-12, 14-19, and 27-28 as to all respondents, and claim 20 of the ’919 patent as to respondents Sichuan Hobbies and Anhui Chile. As a result of the foregoing termination, the patent claims that remain asserted are: claims 1, 2, 10, 13, and 15 of the ’855 patent (as to all remaining respondents); claims 1, 10, and 18 of the ’694 patent (as to all remaining respondents); and claim 20 of the ’919 patent (as to Baby Trend only).

The Commission vote for this determination took place on December 14, 2022.

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.



Katherine M. Hiner
Secretary to the Commission

Issued: December 14, 2022