

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN AUTOMATED PUT WALLS
AND AUTOMATED STORAGE AND
RETRIEVAL SYSTEMS, ASSOCIATED
VEHICLES, ASSOCIATED CONTROL
SOFTWARE, AND COMPONENT
PARTS THEREOF**

Investigation No. 337-TA-1293

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION IN PART AS TO
CERTAIN PRODUCTS OF THE RESPONDENTS BASED ON A CONSENT ORDER;
ISSUANCE OF A CONSENT ORDER**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined not to review an initial determination (“ID”) (Order No. 10) of the presiding administrative law judge (“ALJ”), granting a motion to terminate the above-captioned investigation in part as to certain products of the respondents based on a consent order. The Commission has issued the consent order.

FOR FURTHER INFORMATION CONTACT: Ronald A. Traud, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3427. 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 on January 27, 2022, based on a complaint filed on behalf of OPEX Corporation of Moorestown, New Jersey. 87 FR 4290 (Jan. 27, 2022). The complaint alleged a violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain automated put walls and automated storage and retrieval systems, associated vehicles, associated control software, and component parts thereof by reason of infringement of certain claims of

U.S. Patent Nos. 8,104,60, 8,276,740, 8,622,194, and 10,576,505. The complaint further alleged that an industry in the United States exists, as required by section 337. *Id.* The Commission’s notice of investigation named as respondents HC Robotics (a.k.a. Huicang Information Technology Co., Ltd.), of Hangzhou City, China (“HC Robotics”), and Invata, LLC (d/b/a Invata Intralogistics) of Conshohocken, Pennsylvania (“Invata,” and together with HC Robotics, “Respondents”). *Id.* The Office of Unfair Import Investigations was not named as a party in this investigation. *Id.*

On July 5, 2022, Respondents filed an unopposed motion pursuant to Commission Rules 210.21(a)(2) and (c)(1)(ii) to terminate this investigation in part with respect to certain accused products known as the OmniSort Generation 1 based on a consent order stipulation and proposed consent order.

On August 12, 2022, the ALJ issued the subject ID granting Respondents’ motion pursuant to Commission Rule 210.21(c) (19 CFR 210.21(c)). The ID found that the motion, consent order stipulation, and proposed consent order satisfy the requirements of Commission Rules 210.21(c)(3) and (c)(4) (19 CFR 210.21(c)(3), (c)(4)). The ID also found that partial termination of the investigation as to Respondents is not contrary to the public interest. No party petitioned for review of the subject ID.

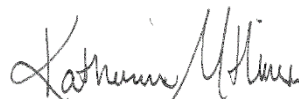
The Commission has determined not to review the subject ID.

The investigation is terminated in part as to the OmniSort Generation 1 products of HC Robotics and Invata. Consent orders are issued to HC Robotics and Invata.

The Commission vote for this determination took place on September 13, 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
Acting Secretary to the Commission

Issued: September 13, 2022