

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN SURFACE CLEANING
DEVICES AND COMPONENTS
THEREOF**

Investigation No. 337-TA-1404

**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 (“Commission”) has determined not to review an initial determination (“ID”) (Order No. 16) of the presiding administrative law judge (“ALJ”) granting an unopposed motion for partial termination of the investigation as to certain asserted claims of U.S. Patent No. 7,776,120 (“the ’120 patent”); U.S. Patent No. 10,219,661 (“the ’661 patent”); U.S. Patent No. 11,910,983 (“the ’983 patent”); and U.S. Patent No. 11,910,984 (“the ’984 patent”).

FOR FURTHER INFORMATION CONTACT: Namo Kim, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3459. 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, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: On June 13, 2024, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), based on a complaint filed by SharkNinja Operating LLC of Needham, Massachusetts; Omachron Alpha Inc. of Canada; and Omachron Intellectual Property Inc. of Canada (collectively, “Complainants”). 89 FR 50369-70 (June 13, 2024). The complaint, as supplemented, alleged violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain surface cleaning devices and components thereof by reason of the infringement of certain claims of the ’120 patent, the ’661 patents, the ’983 patent, the ’984 patent, and U.S. Patent No. 11,903,546 (“the ’546 patent”). *Id.* The complaint further alleged that an industry in the United States exists or is in the process of being established. *Id.* The notice of investigation named as

respondents Dyson, Inc. of Chicago, Illinois; Dyson Technology Limited of Tetbury Hill, United Kingdom; and Dyson Canada Limited of Toronto, Canada (collectively, “Dyson”). *Id.* The Office of Unfair Import Investigations is not participating in this investigation. *Id.*

On November 29, 2024, Complainants filed an unopposed motion to terminate the investigation in part as to claims 1, 8, 9, and 12 of the '120 patent; claims 1, 2, 9-12, 15, and 16 of the '661 patent; claims 4, 8, 12, and 17-19 of the '983 patent; and claims 3, 4, 6, 7, 9-18 of the '984 patent.

On December 3, 2024, the ALJ issued the subject ID (Order No. 16) pursuant to Commission Rule 210.21(a) (19 CFR 210.21(a)), granting Complainants' motion for partial termination because good cause was shown and because there is no opposition. Upon granting the partial termination, the ID states that the following claims remain asserted in the investigation: claims 7, 14, and 15 of the '120 patent; claims 3, 4, 5, and 8 of the '661 patent; claims 10 and 15 of the '546 patent; claims 1, 6, and 7 of the '983 patent; and claims 1, 2, 5, and 8 of the '984 patent.

No petitions for review of the subject ID were filed.

The Commission has determined not to review the subject ID. Claims 1, 8, 9, and 12 of the '120 patent; claims 1, 2, 9-12, 15, and 16 of the '661 patent; claims 4, 8, 12, and 17-19 of the '983 patent; and claims 3, 4, 6, 7, 9-18 of the '984 patent are terminated from the investigation.

The Commission vote for this determination took place on December 23, 2024.

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.



Lisa R. Barton
Secretary to the Commission

Issued: December 26, 2024