

**UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.**

In the Matter of

**CERTAIN TABLE SAWS
INCORPORATING ACTIVE INJURY
MITIGATION TECHNOLOGY AND
COMPONENTS THEREOF**

**Investigation No. 337-TA-965
(Modification Proceeding)**

**NOTICE OF COMMISSION DETERMINATION TO DENY
A PETITION FOR A MODIFICATION PROCEEDING**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to deny a petition to modify the Commission's limited exclusion order and cease and desist order.

FOR FURTHER INFORMATION CONTACT: Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW, Washington, D.C. 20436, telephone (202) 708-5468. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW, Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<https://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.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 underlying investigation on September 1, 2015, based on complainants SawStop, LLC's and SD3, LLC's (together, "SawStop") complaint alleging that Robert Bosch Tool Corporation and Robert Bosch GmbH (together, "Bosch") infringed, *inter alia*, claims 8 and 12 of U.S. Patent No. 7,895,927 ("the '927 patent") and claims 1, 6, 16, and 17 of U.S. Patent No. 8,011,279 patent ("the '279 patent") (together, "the Subject Claims"). 80 FR 52791-92 (Sept. 1, 2015). On January 27, 2017, at the conclusion of the investigation, the Commission issued a limited exclusion order against Bosch's table saws and components thereof that infringed the Subject Claims, and also issued a cease and desist order against Robert Bosch Tool Corporation regarding the Subject Claims (together, "the Remedial

Orders”). Bosch appealed the Commission’s determination to the U.S. Court of Appeals for the Federal Circuit, which affirmed the Commission’s determination. *See Robert Bosch Tool Corp. v. Int’l Trade Comm’n*, Appeal No. 2017-1883 (Fed. Cir. Feb. 12, 2018).

On December 20, 2018, SawStop filed a petition to modify the Remedial Orders. SawStop indicated that SawStop and Bosch had reached a license agreement, and that such a license agreement is a changed condition of fact that warrants modification of the Remedial Orders. No person filed a response to the petition for modification.

The Commission has determined to deny SawStop’s petition to modify the Remedial Orders. SawStop seeks to modify the Remedial Orders to permit certain licensed activity, but the Remedial Orders already permit licensed activity. Accordingly, modification of the Remedial Orders is unnecessary.

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', enclosed within a large, loopy oval flourish.

Lisa R. Barton
Secretary to the Commission

Issued: February 25, 2019