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April 29, 2022 50103-00002

VIA EDIS

The Honorable Lisa R. Barton
Secretary to the Commission
U.S. International Trade Commission
500 E Street S.W.
Washington, DC 20436

Re: Certain Pneumatic Compression Devices and Components Thereof

Dear Secretary Barton:

Enclosed for filing, please find documents in support of a request by Precision Holdings USA Inc. and Innovamed Health LLC (collectively "Complainants") that the U.S. International Trade Commission institute an investigation pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 C.F.R. §1337. The proposed investigation concerns certain pneumatic compression devices and components thereof. Also included with this submission is a separate letter requesting confidential treatment for a confidential exhibit included with this filing.

Pursuant to the Commission's March 16, 2020 notice regarding Temporary Changes to Filing Procedures (85 FR 15798), and its July 1, 2021 reiteration of its policy on the response to COVID-19, Complainants submit the following documents in electronic format:

1. One (1) electronic copy of Complainants' Verified Complaint pursuant to Commission Rules 210.4(f)(2), 210.8(a)(1)(i) and 210.8(b);

2. One electronic copy of the public Exhibits and Appendices to the Verified Complaint pursuant to Commission Rules 210.4(f)(2), 210.4(f)(7)(i), and 210.8(a)(1)(i);

3. One electronic copy of Confidential Exhibit 15C to the Verified Complaint pursuant to Commission Rules 201.6(c), 210.4(f)(2), and 210.8(a)(1)(ii);

4. One electronic copy of each of United States Patents Nos. 10,058,475 ("the '475 Patent") and 10,912,704 ("the '704 Patent") listed as Exhibits 1 and 3 in the Complaint pursuant to Commission Rule 210.12(a)(9)(i);[1]

5. One electronic copy of each assignment for the '475 and '704 Patents listed as Exhibits 2 and 4 in the Complaint pursuant to Commission Rule 210.12(a)(9)(ii);[2]

6. One electronic copy of each of the prosecution histories of the '475 and '704 Patents included as Appendices A and C of the Complaint pursuant to Commission Rule 210.12(c)(1);[3]

7. One electronic copy of each patent and applicable pages of each technical reference mentioned in the prosecution history of each of the '475 and '704 Patents included as Appendices B and D to the Complaint pursuant to Commission Rule 210.12(c)(2); and

8. A letter pursuant to Commission Rules 201.6(b) and 210.5(d) requesting confidential treatment of Confidential Exhibit 15C.

Complainants confirm that they will serve copies of the Complaint and all associated non-confidential versions of the exhibits and appendices upon the institution of this investigation on the proposed Respondents consistent with 19 C.F.R. part 201 (including 19 C.F.R. §201.16) and the Temporary Procedures.

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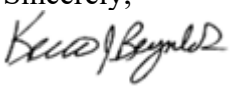
[1] Complainants have requested certified copies of the '475 and '704 Patents, but they are not yet available from the U.S. Patent and Trademark Office. Upon receipt of the certified copies, counsel for Complainants will supplement the Complaint to add certified copies pursuant to Commission Rule 210.12(a)(9)(i).

[2] Complainants have requested certified copies of the assignments of the '475 and '704 Patents, but they are not yet available from the U.S. Patent and Trademark Office. Upon receipt of the certified copies, counsel for Complainants will supplement the Complaint to add certified copies pursuant to Commission Rule 210.12(a)(9)(ii).

[3] Complainants have requested certified copies of the prosecution histories of the '475 and '704 Patents, but they are not yet available from the U.S. Patent and Trademark Office. Upon receipt of the certified copies, counsel for Complainants will supplement the Complaint to add certified copies pursuant to Commission Rule 210.12(c)(1).

Thank you for your consideration and attention to this matter. Please feel free to contact me should you have any questions.

Sincerely,



Kecia Reynolds
of PAUL HASTINGS LLP

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VIA EDIS

The Honorable Lisa R. Barton
Secretary to the Commission
U.S. International Trade Commission
500 E Street S.W.
Washington, DC 20436

Re: Certain Pneumatic Compression Devices and Components Thereof

Dear Secretary Barton:

Pursuant to Commission Rules 201.6 and 210.5, Complainants Precision Holdings USA Inc. and Innovamed Health LLC ("Complainants") respectfully request confidential treatment for the confidential business information contained in Complainants' Complaint Confidential Exhibit 15C filed together with the Complaint.

The information in the Complaint Confidential Exhibit 15C for which Complainants seek confidential treatment consists of business proprietary commercial information regarding investments upon which Complainants' claim of domestic industry is based.

The proprietary information described above qualifies as confidential business information under Commission Rule 201.6 because substantially-identical information is not available to the public, the disclosure of this information would cause substantial competitive harm to Complainants, and public disclosure of this information would likely impair the Commission's efforts and ability to obtain information necessary to perform its statutory function.

We therefore respectfully request that the Commission afford confidential treatment to Confidential Exhibit 15C.

If the Commission decides not to grant such confidential treatment to this Confidential Exhibit, we respectfully ask the Commission to contact us promptly so that we may have an opportunity to explain our request for confidential treatment to the Commission.

Complainants' filing of such Confidential Exhibit should not be construed as any waiver of any right to confidentiality that may otherwise be available. Complainants reserve the right to request the return of any confidential information to which the Commission decides not to afford confidential treatment.

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HASTINGS

Please contact me with any questions regarding this filing.

Sincerely,

Kecia Reynolds
of PAUL HASTINGS LLP

Counsel for Complainants Precision Holdings USA Inc.
and Innovamed Health LLC

UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.

In the Matter of **CERTAIN PNEUMATIC COMPRESSION DEVICES AND COMPONENTS THEREOF**	**Investigation No. 337-TA-_____**

PUBLIC INTEREST STATEMENT OF PRECISION HOLDINGS USA INC. AND INNOVAMED HEALTH LLC IN SUPPORT OF COMPLAINT UNDER SECTION 337 OF THE TARIFF ACT OF 1930, AS AMENDED

Pursuant to 19 C.F.R. § 210.8(b), Precision Holdings USA Inc. ("Precision") and InnovaMed Health LLC ("InnovaMed") (collectively "Complainants") respectfully submit this separate Statement on the Public Interest in support of the concurrently filed Complaint.

The investigation involves the importation, sale for importation, and/or sale after importation into the United States of certain pneumatic compression devices and components thereof that infringe one or more claims of U.S. Patent Nos. 10,058,475 and 10,912,704 (collectively "the Asserted Patents"). As a remedy to the allegations of a violation of Section 337 in the concurrently filed Complaint, Complainants seek a limited exclusion order, pursuant to Section 337(d) of the Tariff Act of 1930, as amended, excluding from entry into the United States all of ManaMed Inc.'s ("ManaMed"), Grandway Healthcare Limited's ("Grandway"), Medline Industries Inc.'s ("Medline"), and Vive Health LLC d/b/a Coretech's ("Coretech") (collectively "Proposed Respondents") pneumatic compression devices and components thereof that infringe one or more claims of the Asserted Patents ("the Accused Products").

Complainants also seek a permanent cease and desist order, pursuant to Section 337(f) of the Tariff Act of 1930, as amended, prohibiting Proposed Respondents, their subsidiaries, related companies, distributors, and agents from importing, selling, offering for sale, selling for importation, transferring, distributing, advertising, and marketing, pneumatic compression devices and components thereof that infringe one or more claims of the Asserted Patents.

The Commission has long recognized the strong public interest in enforcing intellectual property rights. See, e.g., *Certain Baseband Processor Chips and Chipsets, Transmitter and Receiver (Radio) Chips, Power Control Chips, and Products Containing Same, Including Cellular Telephone Handsets*, Inv. No. 337-TA-543, Comm'n Op. at l50 (June 19, 2007)("We must take into account the strong public interest in enforcing intellectual property rights.").

Complainants submit that the requested remedial orders would not have an adverse effect on public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or U.S. consumers. In the few instances where the Commission has denied relief due to the public interest, "the exclusion order was denied because inadequate supply within the United States - by both the patentee and domestic licensees - meant that an exclusion order would deprive the public of products necessary for some important health or welfare need: energy efficient automobiles, basic scientific research, or hospital equipment." *Spansion, Inc. v. International Trade Commission*, 629 F.3d 1331, 1360 (Fed. Cir. 2010).

The Accused Products are used in the healthcare industry, but this Investigation does not present a situation in which the Commission, the parties, or the public should expend the time or resources to undertake discovery and trial on the public interest before the presiding Administrative Law Judge ("ALJ"). The remedial orders requested serve, rather than harm, the

public interest. The request relief will not adversely impact the public health, safety, or welfare conditions in the United States; competitive conditions in the U.S. economy; the production of like or directly competitive articles in the United States; or U.S. consumers, as explained herein.

I. How the Accused Products Are Used in the United States

The Accused Products are pneumatic compression devices and components thereof. The Accused Products are prescribed by physician for post-operative patients at risk of developing deep vein thrombosis (DVT). The Accused Products are for at-home use. The Accused Products do not have external tubing running from the air supply to the compressive sleeve and are thus more easily portable because a potential tripping hazard is eliminated.

II. No Public Health, Safety, or Welfare Concerns

Issuance of the requested remedial orders would not pose any health, safety, or welfare concerns in the United States with respect to the Accused Products. The Accused Products are pneumatic compression devices and components thereof prescribed to post-operative patients at risk of developing DVT. The Accused Products are portable and easy to use. To the extent the Accused Products have a *de minimus* use in applications that could impact health, safety, or welfare in the United States, these products could be replaced by Complainants without delay. The Proposed Respondents' share of the tubeless at-home DVT compression product market is small and Complainants' manufacturer could supply the U.S. market with sufficient volumes of like or directly competitive articles in a commercially reasonable amount of time.

III. Identification of Like or Directly Competitive Articles Made by Complainants, Its Licensees, and/or Third Parties That Could Replace the Subject Articles

Complainants designed, developed, manufacture (through a third party), and/or sell pneumatic compressive devices and the components thereof, including, but not limited to the VenaPro™, Circul8, and Circul8 Pro products, which are tubeless at-home DVT compression

devices. If the Accused Products are excluded, Complainants are capable of supplying the entire U.S. market. Precision is now the leading DVT product supplier in continuum of care from hospital to home in the United States.[1] Moreover, there are also non-infringing at-home DVT compression products, such as those having external tubes and detached air supply units available for patient use in the United States.

IV. Complainants Have the Capacity to Replace Any Excluded Articles within a Commercially Reasonable Time

Complainants have the capacity to replace, within a commercially reasonable period of time, the volume of products potentially subject to remedial orders in this Investigation. As explained above, Precision is now the leading DVT product supplier in continuum of care from hospital to home in the United States.[2] Precision has the ability to increase manufacturing to adequately fill the volume of Accused Products subject to exclusive from the United States within a commercially reasonable period of time.

V. The Requested Remedial Orders Would Not Adversely Impact U.S. Consumers

As stated above, if the Accused Products are excluded from the United States, U.S. consumers would not be adversely impacted. This is because the Complainants are capable of supplying the entire U.S. market to meet the needs of U.S. consumers without delay. Also, as previously stated, non-infringing at-home DVT compression products are available in the United States to also meet the needs of U.S. consumers.

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[1] *See* https://www.prnewswire.com/news-releases/precision-medical-products-achieves-largest-acquisition-to-date-making-it-the-leader-in-continuum-of-care-from-hospital-to-home-301357952.html.

[2] *Id*.

In light of the strong public interest in enforcing intellectual property rights and the lack of significant public interest concerns to the contrary, Complainants respectfully submit that this Investigation would not present an instance where public interest should be delegated to the presiding ALJ.

Dated: April 29, 2022

Respectfully submitted,

Kecia J. Reynolds
Naveen Modi
Phillip Citroën
Brandon Howell
PAUL HASTINGS LLP
2050 M Street NW
Washington, DC 20036
Tel: (202) 551-1740

Counsel for Complainants Precision Holdings USA Inc. and Innovamed Health LLC

UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C

In the Matter of **CERTAIN PNEUMATIC COMPRESSION DEVICES AND COMPONENTS THEREOF**	**Investigation No. 337-TA-_____**

COMPLAINT OF PRECISION HOLDINGS USA INC. AND INNOVAMED HEALTH LLC UNDER SECTION 337 OF THE TARIFF ACT OF 1930, AS AMENDED

COMPLAINANTS:

Precision Holdings USA Inc.
2217 Plaza Dr.
Rocklin, CA 95765
Tel: 888-963-6265

Innovamed Health LLC
10 Westelm Garden
San Antonio, TX 78230
Tel: 210-422-4613

COUNSEL FOR COMPLAINANT:

Kecia J. Reynolds
Naveen Modi
Phillip Citroën
Brandon Howell
PAUL HASTINGS LLP
2050 M Street NW
Washington, DC 20036
Tel: 202-552-1700

PROPOSED RESPONDENTS:

ManaMed Inc.
5240 W. Charleston Blvd.
Las Vegas, NV 89146
Tel: 888-508-0712

Grandway Healthcare Limited
Rm 1705, Kinox Centre No. 9 Hung To Rd.
Kwun Tong, Kowloon, Hong Kong, S.A.R.
CHINA
Tel: +852-28516789

Vive Health LLC d/b/a Coretech
8955 Fontana Del Sol Way
Naples, FL 34109
Tel: 239-220-5772

Medline Industries Inc.
3 Lakes Drive
Northfield, IL 60093-2753
Tel: 847-643-4316

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Ex. 7	Web Capture from Precision Medical Products Website
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App. D	Technical References Cited in the Prosecution History of U.S. Patent No. 10,912,704

I. INTRODUCTION

1. Precision Holdings USA, Inc. ("Precision") and Innovamed Health LLC ("Innovamed") (collectively "Complainants") submit this Complaint under Section 337 of the Tariff Act of 1930, as amended requesting that the U.S. International Trade Commission institute an investigation to remedy the unlawful and unfair importation into the United States, sale for importation into the United States, and/or sale in the United States after importation of certain pneumatic compression devices and components thereof that infringe claims of U.S. Patent Nos. 10,058,475 ("the '475 Patent") and 10,912,704 ("the '704 Patent") (collectively "the Asserted Patents").

2. The Proposed Respondents are ManaMed Inc. ("ManaMed") of Las Vegas, Nevada; Grandway Healthcare Limited ("Grandway") of Hong Kong, S.A.R., China; Vive Health LLC d/b/a Coretech ("Coretech") of Naples, Florida; and Medline Industries Inc. ("Medline") of Illinois.

3. On information and belief, the Proposed Respondents have engaged in unlawful acts that violate Section 337 in the importation, sale for importation, and/or sale after importation of certain pneumatic compression devices and components thereof that infringe, literally or under the doctrine of equivalents, the following claims of the Asserted Patents:

Asserted Patents	**Asserted Claims (independent claims in bold)**
U.S. Patent 10,058,475	Claims **16**, 17, and 18
U.S. Patent 10,912,704	Claims **1**, 3, 4, 11, 12, **13**, 14, 15, **18**, 19, and 20

4. Complainant Innovamed developed the technology disclosed and claimed in the Asserted Patents and is the owner of the Asserted Patents by assignment from the inventors.

Complainant Precision is an exclusive licensee of the Asserted Patents, with the license running to Precision's wholly owned subsidiaries.

5. As required by 19 U.S.C. §1337(a)(2) and (3), an industry exists in the United States relating to certain pneumatic compression devices that are covered by the Asserted Patents.

6. Complainants file this Complaint seeking, as relief, a permanent limited exclusion order excluding from entry into the United States all infringing pneumatic compression devices and components thereof of the Proposed Respondents, their subsidiaries, affiliates, related companies, and successors thereof.

7. Pursuant to 19 U.S.C. § 1337(f)(1), Complainants also seek cease and desist orders against the Proposed Respondents, their subsidiaries, affiliates, related companies, and successors thereof, prohibiting the importation, sale, offer for sale, distribution, transfer, advertising and marketing of all infringing pneumatic compression devices and components thereof.

8. Pursuant to 19 U.S.C. § 1337 (e)(1), Complainants further request that the Commission impose a bond during the 60-day Presidential review period that is equal to 100% of the entered value covering any importation of infringing pneumatic compression devices and components thereof.

II. COMPLAINANTS

A. Precision Holdings USA Inc.

9. Complainant Precision is a company organized and existing under the laws of California, with an address located at 2217 Plaza Dr. Rocklin, California 95765. Exhibit 5.

10. Precision is the parent company of several medical device subsidiary companies located in the United States. Exhibit 6a-6c. Precision and its subsidiary companies are in the

business of designing, developing, and providing pneumatic compression devices for reducing the risk of deep vein thrombosis. Exhibit 7.

B. Innovamed Health LLC

11. Complainant Innovamed is a company organized and existing under the laws of Texas, with an address located at 10 Westelm Garden, San Antonio, Texas 78230-2632. Exhibit 8. Innovamed developed the technology disclosed and claimed in the Asserted Patents. Exhibits 1, 3, and 9. Innovamed owns the Asserted Patents. Exhibits 2 and 4.

III. PROPOSED RESPONDENTS

A. ManaMed Inc.

12. Upon information and belief, ManaMed Inc. is a corporation organized and existing under the laws of Nevada with places of business at 5240 W Charleston Blvd, Las Vegas, Nevada 89146 and 2612 Sirius Dr., Denton, Texas 76208. Exhibits 10 and 11.

13. Upon information and belief, ManaMed is in the business of importing into the United States and selling in the United States pneumatic compression devices and components thereof, such as the PlasmaFlow and PlasmaFlight products. Exhibit 12.

B. Grandway Healthcare Limited

14. Upon information and belief, Grandway Healthcare Limited is a company organized and existing under the laws of Hong Kong with a place of business at Room 1705 17/F Kinox Centre, No 9 Hung To Road, Kwun Tong, Hong Kong, S.A.R., China. Exhibit 13.

15. Upon information and belief, Grandway is the manufacturer of at least ManaMed's Plasma Flow and Plasma Flight products. Exhibit 14a and 14b.

C. Coretech

16. Upon information and belief, Vive Health LLC is a company organized and existing under the laws of Florida with a place of business at 8955 Fontana Del Sol Way, 2nd Floor, Naples, FL 34109-4428. Exhibit 24.

17. Upon information and belief, Vive Health LLC does business under the trade name Coretech, which has the same address as Vive Health LLC at 8955 Fontana Del Sol Way, 2nd Floor, Naples, FL 34109-4428. Exhibit 28.

18. Upon information and belief, Coretech is in the business of importing into the United States and selling in the United States pneumatic compression devices and components thereof, such as the Coretech DVT Pump product. Exhibit 25.

19. Upon information and belief, Vive Health LLC is the authorized distributor for Coretech, for at least the Coretech DVT Pump product. Exhibits 25 and 26.

D. Medline

20. Upon information and belief, Medline Industries Inc. is a company organized and existing under the laws of Illinois with a place of business at 3 Lakes Drive, Northfield, Illinois, 60093-2753. Exhibit 27.

21. Upon information and belief, Medline sells a PlasmaFlow product and products that are substantially equivalent to the ManaMed PlasmaFlow, such as at least the Medline Portable DVT Pump. Exhibits 29, 30, and 31.

IV. THE ASSERTED PATENTS

A. The ’475 Patent

22. The ’475 Patent is entitled “Portable Intermittent Pneumatic Compression System” and was issued on August 28, 2018. Exhibit 1. The ’475 Patent issued from U.S.

Patent Application No. 14/217,213, filed on March 17, 2014. *Id*. The '475 Patent claims the benefit of Provisional Application No. 61/794,235, filed on March 15, 2013. *Id*.

23. Together with this Complaint, Complainants file an electronic copy of the prosecution history of the '475 patent as Appendix A.[1] Complainants also file as Appendix B an electronic copy of the technical references identified in the prosecution history of the application leading to the issuance of the '475 patent.

24. The named inventors of the '475 Patent are: Turner Lucas Zeutzius, Wade R. Williams, and Joseph Zeutzius. *Id*.

1. Assignment and Ownership

25. Complainant Innovamed is the sole owner by assignment of the '475 Patent. Exhibit 2. Complainant Precision, including its subsidiaries, is the exclusive licensee.

26. The asserted claims of the '475 Patent are valid, enforceable, and currently in full force and effect until the expiration of the '475 Patent on March 15, 2033.

2. Non-Technical Description of the Invention of the '475 Patent[2]

27. The '475 Patent is directed to an intermittent pneumatic compression system that is wrapped around a patient's extremity, such as a leg, for prophylactic compression of the leg to avoid deep vein thrombosis. Exhibit 1. The compression system of the '475 Patent provides for a portable battery operated system that avoids tubes that create a tripping hazard for the patient. *Id*. The compression system is arranged with an inflatable bladder having a divider creating at least two sections and having a pressure sensor for measuring air pressure. *Id*.

[1] A certified copy of the prosecution history has been ordered and will be filed on EDIS upon receipt.

[2] This non-technical description of the invention is presented for general background purposes only. This description is not intended to, and does not, construe either the specification or claims of the '475 Patent.

3. Foreign Counterparts of the ’475 Patent

28. The ’475 Patent does not have a foreign counterpart.

B. The ’704 Patent

29. The ’704 Patent is entitled “Portable Intermittent Pneumatic Compression System” and was issued on February 9, 2021. Exhibit 3. The ’704 Patent issued from U.S. Patent Application No. 16/045,870, filed on July 26, 2018, which is a continuation of non-provisional U.S. Application Serial No. 14/217,213, filed on March 17, 2014, which claims benefit of Provisional Application No. 61/794,235, filed on March 15, 2013. *Id*. A reissue application was filed on April 14, 2021 to correct the claim of priority on the face of the patent.

30. Together with this Complaint, Complainants file an electronic copy of the prosecution history of the ’704 patent as Appendix C.[3] Complainants also file as Appendix D an electronic copy of the technical references identified in the prosecution history of the application leading to the issuance of the ’704 patent.

31. The named inventors of the ’704 Patent are: Turner Lucas Zeutzius, Wade R. Williams, and Joseph Zeutzius. Exhibit 3.

1. Assignment and Ownership of the ’704 Patent

32. Complainant Innovamed is the sole owner by assignment of the ’704 Patent. Ex. 4. Complainant Precision, including its wholly owned subsidiaries, is the exclusive licensee of the ’704 Patent. Exhibit 15.

33. The asserted claims of the ’704 Patent are valid, enforceable, and currently in full force and effect until the expiration of the ’704 Patent on March 15, 2033.

[3] A certified copy of the prosecution history has been ordered and will be filed on EDIS upon receipt.

2. Non-Technical Description of the Invention of the '704 Patent[4]

34. The '704 Patent is directed to an intermittent pneumatic compression system that is wrapped around a patient's extremity, such as a leg, for prophylactic compression of the leg to avoid deep vein thrombosis. Exhibit 3. The compression system of the '704 Patent provides for a portable battery operated system that avoids tubes that create a tripping hazard for the patient. *Id*. The compression system is arranged with an inflatable bladder having a divider creating at least two sections and having a pressure sensor for measuring air pressure, and where the system module for controlling the system is mounted onto the bladder. *Id*.

3. Foreign Counterparts of the '704 Patent

35. The '704 Patent does not have a foreign counterpart.

V. THE ACCUSED PRODUCTS

36. Pursuant to 19 C.F.R. §§ 210.12(a)(12) and 210.10(b)(1), the Accused Products are plainly described as portable deep vein thrombosis compression products.

37. The Accused Products include at least the following models:

[4] This non-technical description of the invention is presented for general background purposes only. This description is not intended to, and does not, construe either the specification or claims of the '704 Patent.

- PlasmaFlight

PlasmaFlight™

Exhibits 12 and 16.

- PlasmaFlow

PlasmaFlow™
E0676

Exhibits 12 and 17.

- Coretech DVT Pump

Exhibit 25.

- Medline Portable DVT Pump

Exhibit 31.

38. This identification of exemplary models of Accused Products is intended purely for illustration and is not intended to limit the scope of the Investigation. For example, the ManaMed vascular therapy website lists other pneumatic compression devices and components thereof. Exhibit 18. The ManaMed brochure also lists several vascular therapy and electrotherapy products. Exhibit 12. The brochure also lists part numbers for components of the Accused Products. *Id*. Any remedy should extend to all present and future infringing products

and components thereof of each Respondent, including products made by or for a named Respondent and products made by third parties and sold under third-party brand names for a named Respondent, regardless of model number or type of product.

VI. THE UNLAWFUL AND UNFAIR ACTS OF PATENT INFRINGEMENT

39. Proposed Respondents have engaged in unfair trade practices, including the sale for importation, importation, and/or sale within the United States after importation of Accused Products that infringe the Asserted Claims of the Asserted Patents.

40. On information and belief, the Accused Products are manufactured in China, sold for importation into the United States and/or sold in the United States after importation by the Proposed Respondents. Exhibits 12, 13, 14a, 19, 25, 26, 29, and 30.

A. Infringement of the ’475 Patent Claims

41. The Proposed Respondents directly infringe the Asserted Claims of the ’475 Patent, literally or under the doctrine of equivalents.

42. Upon information and belief, Grandway manufactures for importation into the United States, imports into the United States, and/or sells for importation into the United States one or more of the Accused Products, including the ManaMed PlasmaFlow and PlasmaFlight products. Exhibits 12, 13, 14a, 14b, and 19.

43. Upon information and belief, ManaMed imports and/or sells within the United States after importation one or more of the Accused Products, including the ManaMed PlasmaFlow and PlasmaFlight products. Exhibits 12, 13, 14a, 14b, and 19.

44. Upon information and belief, Medline imports and/or sells within the United States after importation one or more of the Accused Products, including the PlasmaFlow and the Medline Portable DVT Pump products. Exhibits 29, 30, and 31.

45. Upon information and belief, the Medline products, PlasmaFlow and Portable DVT Pump, are white labeled ManaMed products and are substantially equivalent to the ManaMed PlasmaFlow product. Exhibits 29, 30, and 31.

46. A chart that demonstrates how an exemplary PlasmaFlow product infringes independent claim 16 of the ’475 Patent is attached to the Complaint as Exhibit 32.

47. Upon information and belief, Coretech imports and/or sells within the United States after importation one or more of the Accused Products, including the Coretech DVT Pump, comprising a pump and a sleeve, each of which are non-staple items and specifically designed to be used to infringe the ’475 Patent claims. Exhibits 25 and 26. Coretech’s Owner’s Manual provided on its website and included in the packaging specifically instructs the user to connect the pump to the sleeve. Ex. 25. Coretech had knowledge of the ‘475 Patent at least as early as the filing of this Complaint.

48. A chart that demonstrates how an exemplary product Coretech product infringes independent claim 16 of the ’475 Patent is attached to the Complaint as Exhibit 36.

B. Infringement of the ’704 Patent Claims

49. The Proposed Respondents infringe the Asserted Claims of the ’704 Patent, literally or under the doctrine of equivalents.

50. Upon information and belief, Grandway manufactures for importation into the United States, imports into the United States, and/or sells for importation into the United States one or more of the Accused Products, including the PlasmaFlow and PlasmaFlight products. Exhibits 12, 13, 14a, 14b, and 19.

51. Upon information and belief, ManaMed imports and/or sells within the United States after importation one or more of the Accused Products, including the ManaMed PlasmaFlow and PlasmaFlight products. Exhibits 12, 13, 14a, and 19.

52. Upon information and belief, Medline imports and/or sells within the United States after importation one or more of the Accused Products, including the PlasmaFlow and the Medline Portable DVT Pump products, which is a white labeled product of the Manamed Product. Exhibits 29, 30, and 31.

53. A chart that demonstrates how an exemplary PlasmaFlow product infringes independent claims 1, 13, and 18 of the ’704 Patent is attached to the Complaint as Exhibit 33.

54. Upon information and belief, Coretech imports and/or sells within the United States after importation one or more of the Accused Products, including the Coretech DVT Pump, comprising a pump and a sleeve, each of which are non-staple items and specifically designed to be used to infringe the ’704 Patent claims. Exhibits 25 and 26. Coretech’s Owner’s Manual provided on its website and included in the packaging specifically instructs the user to connect the pump to the sleeve. Ex. 25. Coretech had knowledge of the ‘704 Patent at least as early as the filing of this Complaint.

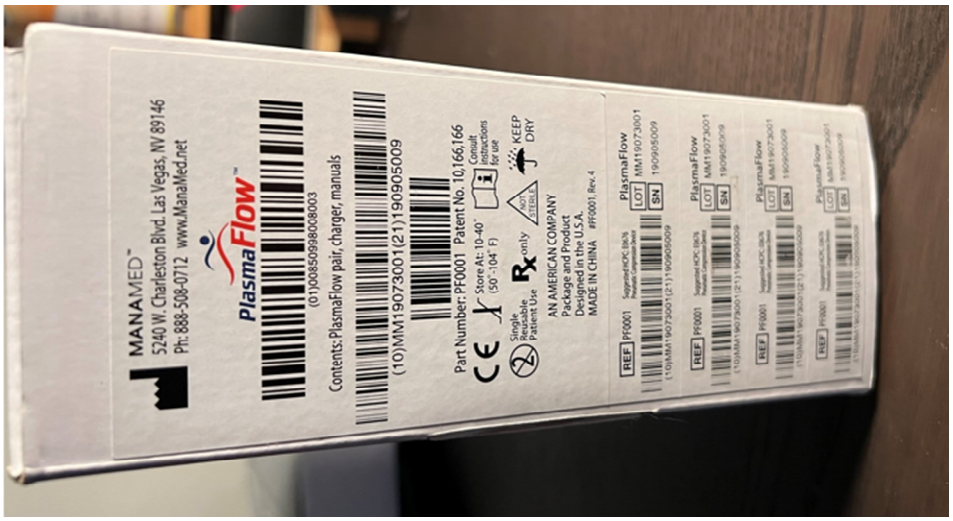
55. A chart that demonstrates how the Coretech product infringes independent claims 1, 13, and 18 of the ’704 Patent is attached to the Complaint as Exhibit 37.

56. On information and belief, Complainants expect discovery to confirm additional manufacturers, instances of importation, selling for importation into the United States, and/or selling within the United States after importation of pneumatic compression devices and components thereof that infringe the Asserted Patents.

C. Specific Instances of Importation, Sale For Importation, and/or Sale After Importation

57. Upon information and belief, the Accused Products are manufactured outside of the United States. The Accused Products are then sold for importation into the United States, imported into the United States, and/or sold within the United States after importation.

58. The packaging of exemplary Accused Products states that the products are "MADE IN CHINA." Exhibits 19 and 26.



59. Upon information and belief, Grandway manufactures the Accused Products at its facilities in Shenzhen, China. Exhibit 14a.

60. Upon information and belief, Grandway manufactures and sells the Accused Products for importation into the United States and ManaMed sells the imported Accused Products in the United States. Exhibits 12, 13, and 14a.

61. Upon information and belief, Coretech imports the Accused Products from China and sell the imported Accused Products in the United States. Exhibits 25 and 26.

62. Upon information and belief, Medline sells Accused Products, Medline Portable DVT Pump and PlasmaFlow, imported from China. Exhibits 19, 29, 30, and 31.

63. Upon information and belief, the Medline products are white labeled products and are substantially equivalent to the ManaMed PlasmaFlow, which is manufactured in China. Exhibits 19, 29, and 31.

64. On information and belief, Complainants expect discovery to confirm additional manufacturers and instances of importation of pneumatic compression devices and components thereof that infringe the Asserted Patents.

VII. HARMONIZED TARIFF SCHEDULE CLASSIFICATION FOR THE ACCUSED PRODUCTS

65. The Accused Products are believed to fall within at least the following classifications of the Harmonized Tariff Schedule of the United States: HTSUS codes 9019.10.20. This classification is intended for illustration only and is not intended to be restrictive of the Accused Products.

VIII. LICENSEES

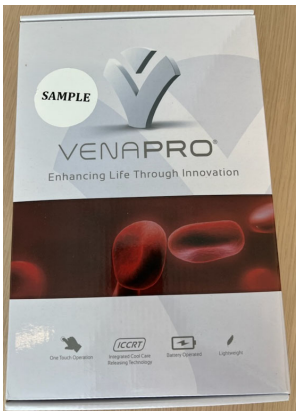
66. Precision and its wholly owned subsidiaries are the only licensed entities to the Asserted Patents.

IX. THE DOMESTIC INDUSTRY REQUIREMENT

67. As required by Section 337(a)(2) and defined by Section 337(a)(3), an industry in the United States exists in connection with the Asserted Patents. Complainants have made significant investments in plant and equipment, have employed significant labor, have made significant investments capital, and exploited the patents with substantial investments that related to products that embody the Asserted Patents.

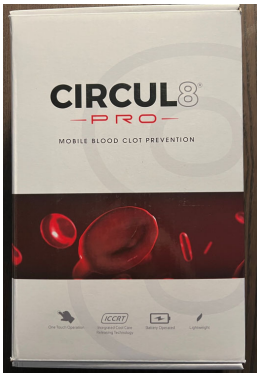
A. The Technical Prong of the Domestic Industry Requirement

68. For purposes of this Complaint, Complainants submit that the products covered by the Asserted Patents, including at least the VenaPro:



Exhibits 20 and 21.

and Circul8 Pro:



Exhibits 22 and 23.

(collectively "Domestic Industry Products"). These exemplary products practice, literally or under the doctrine of equivalents, at least one of the Asserted Claims of the Asserted Patents.

69. Exhibits 34 and 35 are claim charts showing exemplary Domestic Industry Products that practices at least one claim of each of the Asserted Patents, either literally or under the doctrine of equivalents. The relevant features and structure of the charted exemplary Domestic Industry Products are the same as or substantially similar to the Domestic Industry Products that have not been charted.

B. The Economic Prong of the Domestic Industry Requirement

70. An industry, as defined in 19 U.S. C. § 1337(a)(3)(A)–(C), exists by virtue of significant and substantial investment in activities in the United States with respect to the Domestic Industry Products. Confidential Declaration, Exhibit 15C. As set forth in the accompanying confidential Declaration, investments include, but are not limited to, significant investments in U.S. plant and equipment, significant employment of U.S. labor, significant U.S. capital investment with respect to the Domestic Industry Products.

71. Specifically, as detailed in the accompanying confidential Declaration, investments include costs associated with facilities in the United States where product design, manufacturing management, procurement, quality control, product testing, customer support, marketing, warehousing, logistics, and sales activities occur for the Domestic Industry Products. The labor force includes individuals located in the United States engaged in design, manufacturing management, procurement, quality control, product testing, customer support, warehousing, logistics, marketing, and sales activities for the Domestic Industry Products.

X. RELATED LITIGATION

72. Other than the concurrently filed district court action 4:22-cv-359 filed on April 29, 2022 in the Eastern District of Texas, the Asserted Patents have not been the subject of any litigation, including administrative proceedings, in the United States or in any foreign country.

XI. REQUESTED RELIEF

WHEREFORE, by reason of the foregoing, Complainants request that the U.S. International Trade Commission:

(a) institute an immediate investigation, pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, with respect to Respondents' violations of Section 337 based on the unlawful importation into the United States, sale for importation into the United States, and/or

sale within the United States after importation of pneumatic compression devices and components thereof that infringe one or more claims of U.S. Patent No. 10,058,475 or U.S. Patent No. 10,912,704;

(b) schedule and conduct a hearing on the unlawful acts and, following the hearing, determine that there has been a violation of Section 337;

(c) issue a permanent limited exclusion order, pursuant to Section 337(d) of the Tariff Act of 1930, as amended, excluding from entry into the United States all of Respondents' pneumatic compression devices and components thereof that infringe one or more claims of U.S. Patent No. 10,058,475 or U.S. Patent No. 10,912,704;

(d) issue a permanent cease and desist order, pursuant to Section 337(f) of the Tariff Act of 1930, as amended, prohibiting Respondents, their subsidiaries, related companies, distributors, and agents from at least importing, selling, offering for sale, selling for importation, transferring, distributing, warehousing inventory for distribution, using, making assembling, advertising, marketing, demonstrating, testing, servicing, and repairing pneumatic compression devices and components thereof that infringe one or more claims of U.S. Patent No. 10,058,475 or U.S. Patent No. 10,912,704;

(e) impose a bond during the 60-day Presidential review period pursuant to 19 U.S.C. § 1337(e)(1) and (f)(1) to prevent further injury to Complainants relating to Respondents' unlawful and unfair acts of infringement of one or more claims of U.S. Patent No. 10,058,475 or U.S. Patent No. 10,912,704; and

(f) grant such other and further relief as the Commission deems just and proper based on the facts determined by the investigation and the authority of the Commission.

Dated: April 29, 2022

Respectfully submitted,

Kecia J. Reynolds
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Phillip Citroën
Brandon Howell
PAUL HASTINGS LLP
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Counsel for Complainants Precision Holdings USA LLC and Innovamed Health LLC

VERIFICATION OF COMPLAINT

I, Kecia J. Reynolds, declare, in accordance with 19 C.F.R. §§ 210.4 and 210.12(a), under penalty of perjury, that the following statements are true and correct:

1. I am a partner at Paul Hastings LLP, counsel to Innovamed Health LLC and Precision Holdings USA Inc. (collectively "Complainants") and am duly authorized to sign this Complaint on behalf of Complainants;

2. I have read the foregoing Complaint and am aware of its contents;

3. To the best of my knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions of the foregoing Complaint have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery;

4. To the best of my knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the foregoing Complaint is not being filed for an improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of the investigation or any related proceeding.

5. To the best of my knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the claims, defenses, and other legal contentions set forth within the Complaint are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law.

Executed on this the 29th day of April 2022.

Kecia J. Reynolds, Esq.
Counsel for Innovamed Health LLC
and Precision Holdings USA Inc.