

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

In the Matter of

**CERTAIN CELLULAR SIGNAL
BOOSTERS, REPEATERS, BI-
DIRECTIONAL AMPLIFIERS, AND
COMPONENTS THEREOF (III)**

Inv. No. 337-TA-1251

NOTICE OF INSTITUTION OF INVESTIGATION

Institution of Investigation Pursuant to 19 U.S.C. 1337

AGENCY: U.S. International Trade Commission

ACTION: Notice

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on January 21, 2021, under section 337 of the Tariff Act of 1930, as amended, on behalf of Wilson Electronics LLC of St. George, Utah. Supplements were filed on February 1, 8, and 11, 2021. The complaint, as supplemented, alleges 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 cellular signal boosters, repeaters, bi-directional amplifiers, and components thereof by reason of infringement of certain claims of U.S. Patent No. 7,221,967 (“the ’967 patent”); U.S. Patent No. 7,409,186 (“the ’186 patent”); U.S. Patent No. 7,486,929 (“the ’929 patent”); U.S. Patent No. 7,729,669 (“the ’669 patent”); U.S. Patent No. 7,783,318 (“the ’318 patent”); U.S. Patent No. 8,583,033 (“the ’033 patent”); U.S. Patent No. 8,583,034 (“the ’034 patent”); U.S. Patent No. 8,639,180 (“the ’180 patent”); U.S. Patent No. 8,755,399 (“the ’399 patent”); U.S. Patent No. 8,849,187 (“the ’187 patent”); U.S. Patent No. 8,874,029 (“the ’029 patent”); and U.S. Patent No. 8,874,030 (“the ’030 patent”). The complaint, as supplemented, further alleges that an industry in the United States exists as required by the applicable Federal Statute.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000.

General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Katherine Hiner, Office of Docket Services, U.S. International Trade Commission, telephone (202) 205-1802.

SUPPLEMENTARY INFORMATION:

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.10 (2020).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on February 19, 2021, **ORDERED THAT** –

(1) Pursuant to section 210.10(a)(6) of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.10(a)(6), three separate investigations be instituted based on the complaint to further efficient adjudication, one of which is instituted by this notice of investigation, and that this decision shall not preclude the presiding Administrative Law Judge from further severing the investigation pursuant to section 210.14(h) of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.14(h), if appropriate;

(2) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claims 1, 5-7, 10, and 14 of the '929 patent; claim 1 of the '186 patent; claims 1-7 and 10-12 of the '399 patent; and claims 1-3 of the '187 patent; and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(3) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is "cellular signal boosters, cellular repeaters, bi-directional cellular signal amplifiers, and components such as low-noise amplifiers, power amplifiers, filters, duplexers, triplexers, multiplexers, attenuators, power detectors, microcontrollers, and processors";

(4) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

Wilson Electronics LLC
3301 E. Desert Drive
St. George, UT 84790

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Cellphone-Mate, Inc. d/b/a SureCall
48346 Milmont Drive
Fremont, CA 94538

Shenzhen SureCall Communication Technology Co., Ltd.
Yangtian Rd. 72 Area Baoan District
Shenzhen, China
518040

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

The Office of Unfair Import Investigations will not participate as a party in this investigation.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.13. Pursuant to 19 C.F.R. 201.16(e) and 210.13(a), as amended in 85 Fed. Reg. 15798 (March 19, 2020), such responses will be considered by the Commission if received not later than 20 days after the date of service by the complainant of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: February 22, 2021

**CERTAIN CELLULAR SIGNAL BOOSTERS, REPEATERS,
BI-DIRECTIONAL AMPLIFIERS, AND COMPONENTS
THEREOF (III)**

Inv. No. 337-TA-1251

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **INSTITUTION OF INVESTIGATION** has been served upon the following parties as indicated, on **February 22, 2021**.



Lisa R. Barton, Secretary
U.S. International Trade Commission
500 E Street, SW, Room 112
Washington, DC 20436

Complainants:

Wilson Electronics LLC
3301 E. Deseret Drive
St. George, UT 84790

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Email Notification of Availability for Download

On Behalf of Complainants:

Kirk. R. Ruthenberg
DENTONS US LLP
1900 K. Street, NW
Washington, DC 20006
Email: kirk.ruthenberg@dentons.com

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Email Notification of Availability for Download

Respondents:

Cellphone-Mate, Inc. d/b/a SureCall
48346 Milmont Drive
Fremont, CA 94538

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Service to Be Completed by Complainants

**CERTAIN CELLULAR SIGNAL BOOSTERS, REPEATERS,
BI-DIRECTIONAL AMPLIFIERS, AND COMPONENTS
THEREOF (III)**

Inv. No. 337-TA-1251

Certificate of Service – Page 2

Shenzhen SureCall Communication Technology Co. Ltd.
Yangtian Rd. 72 Area Baoan District
Shenzhen, 518040
China

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Service to Be Completed by Complainants

Embassy:

Embassy of China
3505 International Place
NW Washington, DC 20008

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Service to Be Completed by Complainants

Government Agencies:

Lynda Marshall
International Section, Antitrust Division
U.S. Department of Justice
450 5th Street NW, Room 11000
Washington, DC 20530

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Email Notification of Availability for Download

U.S. Bureau of Customs and Border Protection
Intellectual Property Rights Branch
Mint Annex Building
799 9th Street, NW, 7th floor
Washington, DC 20229

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Email Notification of Availability for Download

Elizabeth Kraus, Deputy Director
International Antitrust, Office of International Affairs
Federal Trade Commission
600 Pennsylvania Avenue, Room 498
Washington, DC 20580

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Email Notification of Availability for Download

Dale D. Berkley, Ph.D., J.D.
Office of the General Counsel, PHD, NIH Branch
National Institutes of Health
31 Center Drive
Bldg. 31, Rm. 47
Bethesda, MD 20892

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Email Notification of Availability for Download



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

February 22, 2021

Cellphone-Mate, Inc. d/b/a SureCall
48346 Milmont Drive
Fremont, CA 94538

**Re: Certain Cellular Signal Boosters, Repeaters, Bi-Directional Amplifiers, And
Components Thereof (III)
Inv. No. 337-TA-1251**

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). **Cellphone-Mate, Inc. d/b/a SureCall** is a named respondent in this investigation.

We are hereby serving you with a copy of the Complaint and the Notice of Investigation issued in this matter. Enclosed is a copy of the Code of Federal Regulations. Also enclosed is a the Section 337 Mediation Program brochure. After reviewing this brochure, please sign and return the enclosed certification of receipt.

Please note that the Notice requires a response to the allegations in the Complaint and the response must be received not later than twenty (20) days after the date of service of the Complaint. Failure to file a response may result in inferences being drawn against your interests.

Sincerely,

Lisa R. Barton
Secretary

Enclosures:

1. Complaint
2. Notice of Investigation
3. Code of Federal Regulation
4. Publication Regarding the Section 337 Mediation Program
5. Certification of Receipt of Mediation Materials



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

February 22, 2021

Shenzhen SureCall Communication Technology Co. Ltd.
Yangtian Rd. 72 Area Baoan District
Shenzhen, 518040
China

**Re: Certain Cellular Signal Boosters, Repeaters, Bi-Directional Amplifiers, And
Components Thereof (III)**
Inv. No. 337-TA-1251

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). **Shenzhen SureCall Communication Technology Co. Ltd.** is a named respondent in this investigation.

We are hereby serving you with a copy of the Complaint and the Notice of Investigation issued in this matter. Enclosed is a copy of the Code of Federal Regulations. Also enclosed is a the Section 337 Mediation Program brochure. After reviewing this brochure, please sign and return the enclosed certification of receipt.

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Lisa R. Barton
Secretary

Enclosures:

1. Complaint
2. Notice of Investigation
3. Code of Federal Regulation
4. Publication Regarding the Section 337 Mediation Program
5. Certification of Receipt of Mediation Materials



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

February 22, 2021

Embassy of the People's Republic of China
3505 International PI NW
Washington, DC 20008

**Re: Certain Cellular Signal Boosters, Repeaters, Bi-Directional Amplifiers, And
Components Thereof (III)
Inv. No. 337-TA-1251**

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). One or more of the parties named in the investigation is located in China.

Pursuant to Commission Rule 210.11(a) (3), we are hereby serving you with a copy of the Complaint filed in this investigation together with a copy of the Commission's Notice of Investigation.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa R. Barton".

Lisa R. Barton
Secretary

Enclosures:

1. Complaint
2. Notice of Investigation



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

February 22, 2021

Lynda Marshall
International Section
Antitrust Division
U.S. Dept of Justice
450 5th Street NW, Room 11000
Washington, DC 20530

**Re: Certain Cellular Signal Boosters, Repeaters, Bi-Directional Amplifiers, And
Components Thereof (III)
Inv. No. 337-TA-1251**

Dear Ms. Marshall:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to Docket Services at (202) 205-1802.

If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa R. Barton".

Lisa R. Barton
Secretary

Enclosure:

1. Notice of Investigation



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

February 22, 2021

Intellectual Property Rights Branch
Regulations and Rulings
Office of International Trade
U.S. Customs and Border Protection
90 K Street, NE, 10th floor
Washington, DC 20229-1177

**Re: Certain Cellular Signal Boosters, Repeaters, Bi-Directional Amplifiers, And
Components Thereof (III)
Inv. No. 337-TA-1251**

Dear Sir/Madam:

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Sincerely,

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Lisa R. Barton
Secretary

Enclosure:

1. Notice of Investigation



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

February 22, 2021

Elizabeth Kraus, Deputy Director
International Antitrust, Office of
International Affairs
Federal Trade Commission
600 Pennsylvania Avenue, Room 498
Washington, DC 20580

**Re: Certain Cellular Signal Boosters, Repeaters, Bi-Directional Amplifiers, And
Components Thereof (III)
Inv. No. 337-TA-1251**

Dear Ms. Kraus:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to Docket Services at (202) 205-1802.

If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,

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Lisa R. Barton
Secretary

Enclosure:

1. Notice of Investigation



UNITED STATES INTERNATIONAL TRADE COMMISSION

WASHINGTON, DC 20436

February 22, 2021

Dale D. Berkley, Ph.D., J.D.
Office of the General Counsel, PHD, NIH Branch
National Institutes of Health
31 Center Drive
Bldg. 31, Rm. 47
Bethesda, MD 20892

**Re: Certain Cellular Signal Boosters, Repeaters, Bi-Directional Amplifiers, And
Components Thereof (III)
Inv. No. 337-TA-1251**

Dear Mr. Berkley:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to Docket Services at (202) 205-1802.

If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa R. Barton".

Lisa R. Barton
Secretary

Enclosure:

1. Notice of Investigation