

UNITED STATES INTERNATIONAL TRADE COMMISSION

In the Matter of

**CERTAIN MOTORIZED
SELF-BALANCING VEHICLES**

Investigation No. 337-TA-1000

CONSENT ORDER

On May 20, 2016, the United States International Trade Commission (the "Commission") instituted the above-captioned investigation under Section 337 of the Tariff Act of 1930 as amended (19 U.S.C. 1337), based upon the allegations contained in the Complaint filed by Complainants Razor USA LLC, Inventist, Inc., and Shane Chen (collectively, "Complainants"), which alleges violations of Section 337 by Respondent InMotion Entertainment Group LLC ("IMEG") based upon the importation into the United States, the sale for importation into the United States, and/or the sale within the United States after importation of certain motorized self-balancing vehicles that infringe one or more of claims 1-9 of U.S. Patent No. 8,738,278 ("the '278 patent").

Respondent IMEG has executed a Consent Order Stipulation, in which it agrees to the entry of this Consent Order and to all waivers and other provisions as required by the Commission's Rules of Practice and Procedure, has executed a Settlement Agreement with Complainants, and has consented to the filing of the Motion to Terminate Investigation as to IMEG Based on Settlement Agreement and Consent Order.

NOW, THEREFORE, the Commission issues the following Consent Order:

1. The Complainants in this Investigation are Razor USA LLC, a Delaware limited liability company having its principal place of business at 12723 166th Street, Cerritos, California

90703 ("Razor"), Inventist, Inc., a Washington corporation having its principal place of business at 4901 NW Camas Meadows Drive, Camas, Washington 98607 ("Inventist"), and Shane Chen, founder, President, and co-owner of Inventist.

2. The Respondent covered by this Consent Order is IMEG, a limited liability company organized and existing under the laws of Delaware having its principal place of business located at 4801 Executive Park Court, Suite 100, Jacksonville, FL 32216.
3. The subject articles are motorized self-balancing vehicles that were previously imported into the United States, sold for importation into the United States, and/or sold within the United States after importation and that are alleged to infringe one or more of claims 1-9 of the '278 patent (the "Subject Articles").
4. In their Complaint, Complainants allege that IMEG sells for importation into the United States, imports into the United States, and/or sells within the United States after importation Subject Articles in violation of Section 337 of the Tariff Act of 1930 as amended (19 U.S.C. 1337) by reason of infringement of one or more of claims 1-9 of the '278 patent.
5. IMEG has executed a Consent Order Stipulation and stipulates to the entry of this Consent Order.
6. IMEG shall not sell for importation into the United States, import into the United States, or sell within the United States after importation Subject Articles, directly or indirectly, and shall not aid, abet, encourage, participate in, or induce the sale for importation, the importation, or the sale after importation of Subject Articles except under consent or license from Complainants, or to the extent permitted by the Settlement Agreement between Complainants and IMEG.
7. IMEG will destroy or export out of the United States existing U.S. inventories of the Subject Articles.
8. IMEG shall cease and desist from importing, distributing, selling, or otherwise transferring Subject Articles in the United States.
9. IMEG shall be precluded from seeking judicial review or otherwise challenging or contesting the validity of the Consent Order.
10. IMEG shall cooperate with and shall not seek to impede by litigation or other means the Commission's efforts to gather information under Subpart I of the Commission's Rules of Practice and Procedure, 19 CFR part 210.
11. IMEG and its officers, directors, employees, agents and any entity or individual acting on its behalf and with its authority shall not seek to challenge the validity or enforceability of the '278 patent in any administrative or judicial proceeding to enforce the Consent Order.
12. If the '278 patent expires, this Consent Order shall become null and void as to such expired patent.

13. The Consent Order shall become null and void with respect to the '278 patent if it is held invalid or unenforceable by a court or agency of competent jurisdiction or as to any articles that have been found or adjudicated not to infringe the '278 patent in a final decision, no longer subject to appeal.
14. This Investigation is hereby terminated with respect to IMEG; provided, however, that enforcement, modification, or revocation of this Consent Order shall be carried out pursuant to Subpart I 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: November 17, 2016

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **CONSENT ORDER** has been served by hand upon the Commission Investigative Attorney, Brian Koo, Esq., and the following parties as indicated, on **November 17, 2016**.



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

On Behalf of Complainants:

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On Behalf of Respondent Hangzhou Chic Intelligent Technology Co., Ltd.:

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Certificate of Service – Page 2

On Behalf of Respondent Newegg.com Inc.

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On Behalf of Respondents United Integral, Inc. dba Skque Products:

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Certificate of Service – Page 3

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