

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN WINDSHIELD WIPERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-928

Inv. No. 337-TA-937

(Consolidated)

NOTICE OF INITIAL DETERMINATION ON VIOLATION OF SECTION 337

Administrative Law Judge Thomas B. Pender

(October 22, 2015)

On this date, I issued an initial determination on violation of section 337 in the above-referenced investigation. Below are my Initial Determination and the Conclusions of Law from said filing, which are a matter of public record. A complete public version of the Initial Determination will issue when all the parties have submitted their redactions and I have had an opportunity to review such redactions.

SO ORDERED.



Thomas B. Pender
Administrative Law Judge

Public Version

INITIAL DETERMINATION AND ORDER

Based on the foregoing, it is my Initial Determination that there is a violation of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain windshield wipers and components thereof, in connection with the asserted claims of U.S. Patent No. 7,937,798.

It is also my Initial Determination that there is no violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain windshield wipers and components thereof, in connection with the asserted claims of U.S. Patent No. 7,891,044.

Furthermore, it is my determination that a domestic industry in the United States exists that practices or exploits U.S. Patent Nos. 7,937,798 and 7,891,044.

CONCLUSIONS OF LAW

1. The Commission has personal jurisdiction over the parties and subject-matter jurisdiction over the Accused Products.
2. The importation or sale requirement of Section 337 is satisfied.
3. Valeo's Domestic Industry Products practice claims 1, 7, 10, 12, and 15 of U.S. Patent No. 7,937,798 ("the '798 patent").
4. The domestic industry requirement is satisfied with respect to the '798 patent.
5. Trico's Accused Products infringe claims 1, 7, 10, 12, and 15 of the '798 patent.
6. The Asserted Claims of the '798 patent have not been shown to be invalid.
7. There is a violation of Section 337 with respect to the '798 patent.
8. Valeo's Domestic Industry Products practice claims 1, 8, 11, 12, 14, 32, and 33 of U.S. Patent No. 7,891,044 ("the '044 patent").
9. The domestic industry requirement is satisfied with respect to the '044 patent.
10. Trico's Accused Products do not infringe claims 1, 8, 11, 12, 14, 32, and 33 of the '044 patent.
11. The Asserted Claims of the '044 patent have not been shown to be invalid.
12. There is no violation of Section 337 with respect to the '044 patent.

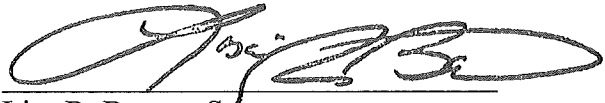
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CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **PUBLIC NOTICE** has been served upon
The Office of Unfair Import Investigations and the following parties on

OCT 22 2015



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

**FOR COMPLAINANTS VALEO NORTH AMERICA, INC. & DELMEX de JUAREZ S.
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() Other: _____

**FOR RESPONDENT TRICO PRODUCTS CORPORATION, TRICO PRODUCTS, &
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