

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

In the Matter of

**CERTAIN ELECTRICAL
CONNECTORS, COMPONENTS
THEREOF, AND PRODUCTS
CONTAINING THE SAME**

Investigation No. 337-TA - _____

**VERIFIED COMPLAINT
UNDER SECTION 337 OF THE TARIFF ACT OF 1930, AS AMENDED**

Complainant

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EXHIBIT LIST

Exhibit No.	Description
Confidential Exhibit 1	Confidential Declaration of Randy Schindler
Exhibit 2	Website printout showing Robert Bosch GmbH Address
Exhibit 3	Website printout showing Bosch Automotive Products (Suzhou) Co., Ltd. Address
Exhibit 4	Website printout showing Robert Bosch LLC Address
Exhibit 5	Website printout showing Robert Bosch, Sistemas Automotrices, S.A. de C.V. Address
Exhibit 6	Website printout showing Robert Bosch Ltda. Address
Exhibit 7	Website printout showing Hon Hai Precision Industry Co., Ltd. Address
Exhibit 8	Website printout showing Foxconn Interconnect Technology, Ltd. Address
Exhibit 9	Certified Copy of U.S. Patent No. 7,004,766 (“’766 Patent”)
Exhibit 10	Certified Copy of Assignment of the ’766 Patent
Exhibit 11	ImportGenius.com records showing the importation of “Bosch 183-pin Connectors” from Foxconn Interconnect Technology, Ltd. to Robert Bosch LLC
Confidential Exhibit 12	Confidential Email from Robert Bosch GmbH confirming the Bosch Respondents provided JST documents to Foxconn
Exhibit 13	Bosch 2015 Annual Report
Exhibit 14	ImportGenius.com Records showing the importation of “Electronic Control Units” from Robert Bosch, Sistemas Automotrices, S.A. de C.V. to Robert Bosch Ltda.
Exhibit 15	Receipt for Purchase of Bosch Body Control Module Model No. 13594587
Confidential Exhibit 16	Confidential Email from Bosch Automotive Products (Suzhou) Co., Ltd. regarding JST documents provided to Foxconn, with selected attachment
Exhibit 17	Photographs of a Bosch Body Control Module Model No. 13594587 with 183-pin connector

Exhibit No.	Description
Exhibit 18	Hon Hai Precision Industry Co., Ltd. and Subsidiaries Consolidated Financial Statements and Report of Independent Accountants December 31, 2015 and 2014
Exhibit 19	Photographs of JST Model No. S44B-RAD-1AK
Exhibit 20	Exemplary Claim Chart Showing Infringement of the '766 Patent by the Accused Products
Confidential Exhibit 21	Confidential Exemplary Claim Chart Showing that JST's Domestic Article Practices the Claims of the Asserted Patent
Exhibit 22	Complaint for Trade Secret Misappropriation, Copyright Infringement, Unfair Competition, Unjust Enrichment, and Breach of Settlement Agreement in <i>J.S.T. Corporation v. Robert Bosch LLC, f/k/a Robert Bosch Corporation, and Robert Bosch GmbH</i> , Case No. 2:15-cv-13842-RHC-MKM

PHYSICAL EXHIBITS

Physical Exhibit	Description
Physical Exhibit 1	Physical Sample of Bosch Body Control Module Model No. 13594587 with 183-pin connector
Physical Exhibit 2	Physical Sample of JST Model No. S44B-RAD-1AK

APPENDICES

Appendix	Description
A	Certified Copy of the File History of the '766 Patent
B	References Cited in the Certified File History of the '766 Patent

I. INTRODUCTION

1. Complainant J.S.T. Corporation (“JST”) requests that the United States International Trade Commission (“Commission”) institute an investigation into violations of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 (“Section 337”), based on the Respondents’ unlawful importation into the United States, sale for importation into the United States, and sale within the United States after importation of certain electrical connectors, components thereof, and products containing the same that infringe U.S. Patent No. 7,004,766 (the “766 Patent”) (the “Asserted Patent”).

2. JST is a worldwide leader and global manufacturer and designer of quality interconnection products for electronic assemblies, including electrical connectors, cables, wires, and printed circuit board modules.

3. Specifically, at issue in this Investigation are electrical connectors and JST’s patented technology for its electrical connectors. An electrical connector joins electrical terminations to create an electronic circuit via a male-ended plug and a female-ended jack.

4. JST sells various electrical connectors that use its innovative technology. Two such styles of connectors are the connector style JST relies on to show its domestic industry and the connector style that the Respondents import, sell for importation, and sell in the United States after importation.

5. As to its domestic industry, all the activity that JST relies on—the research, development, design, engineering, testing, validation, manufacture, quality control, quality assurance, customer support, and customer training—were/are performed at JST’s facilities in the United States. Specifically, the research, development, design, engineering, testing, and

validation of the product JST relies on for domestic industry occurred at JST's facilities in Detroit, Michigan and Waukegan, Illinois. The assembly tooling, stamping, dies, and injection molds that are used in the manufacture of the product are made at JST's Production Engineering Center in Harrisburg, Pennsylvania. The manufacturing and quality control of the product occurs at JST's facility in Waukegan, Illinois. And quality assurance, customer support, and customer training of the product occur at JST's facility in Detroit, Michigan.

6. As to the infringement allegations, the Respondents are Robert Bosch GmbH; Bosch Automotive Products (Suzhou) Co., Ltd.; Robert Bosch LLC; Robert Bosch, Sistemas Automotrices, S.A. de C.V.; and Robert Bosch, Ltda. (collectively, the "Bosch Respondents"); Hon Hai Precision Industry Co., Ltd. d/b/a Foxconn Technology Group ("Foxconn Technology Group"); and Foxconn Interconnect Technology, Ltd. ("Foxconn") (together with Foxconn Technology Group, the "Foxconn Respondents") (jointly with the Bosch Respondents, "Respondents").

7. The Bosch Respondents were formerly customers of JST's inventive electrical connectors. In the mid-2000s, Robert Bosch GmbH approached JST inquiring about an electrical connector that the Bosch Respondents could use in their products. In response, JST developed a connector that uses the patented innovative technology.

8. Initially, the Bosch Respondents purchased JST's connector. Subject to non-disclosure agreements, JST provided the Bosch Respondents with various drawings, technical documents, and test data for its patented technology.

9. However, eventually the Bosch Respondents decided they did not want to pay for JST's electrical connectors. Rather than paying JST's price, they wanted a lower cost connector

with the same patented features as JST’s connector, which had been so successful in their products.

10. In violation of the non-disclosure agreements with JST, the Bosch Respondents provided Foxconn with JST’s detailed technical drawings and specifications of the patented technology. Foxconn, a low-cost Chinese contract manufacturer with no previous experience related to this type of automotive connector, then used this information to copy JST’s patented technology. Foxconn previously had never designed a high-density automotive connector, had never supplied a high-density automotive connector, and had never manufactured a high-density automotive connector.

11. This Complaint is based on, and the Commission’s jurisdiction is invoked upon, the unlawful and unauthorized importation into the United States, sale for importation, and/or the sale within the United States after importation of products by Respondents.

12. As listed in the table below, the Respondents are accused of infringing at least independent claim 2 and dependent claims 4, 9, and 10 of the ’766 Patent. (“Asserted Claims”):

Asserted Patent	Asserted Claims
’766 Patent	Claims 2, 4, 9, and 10

13. JST seeks as relief: (i) a permanent limited exclusion order under 19 U.S.C. § 1337(d) barring from entry into the United States products of Respondents, (ii) a permanent cease and desist order under 19 U.S.C. § 1337(f) prohibiting Respondents and/or their affiliates, subsidiaries, successors, and assigns from importing, marketing, distributing, selling, offering for sale, or selling after importation into the United States products and all components thereof that infringe the Asserted Patent, and (iii) any other relief deemed appropriate by the Commission.

14. Further, JST requests that the Commission impose a bond upon Respondents' importation of infringing products during the 60-day Presidential review period pursuant to 19 U.S.C. § 1337(j) to prevent further injury to Complainant and its domestic industry relating to the Asserted Patent.

II. THE PARTIES

A. The Complainant

15. JST, formerly known as J.S. Terminal Corp. of America, was established in 1975.

16. JST is a privately held corporation organized and existing under the laws of the state of Illinois, with its principal place of business at 1957 S. Lakeside Dr., Waukegan, IL 60085.

17. JST researches, develops, manufactures, markets, and sells electrical connector products. JST has been awarded numerous patents for its innovative connectors and generates revenues from the marketing and sale of products incorporating its patented technology.

18. JST exploits the technologies covered by the Asserted Patent through various activities that occur within the United States, including research and development, manufacturing, and customer support. *See Confidential Exhibit 1* (Schindler Decl.). Specifically, JST has made and continues to make investments in the United States in the design, development, and manufacture of products protected by the Asserted Patent. *See id.* As discussed more fully below, these investments in the United States in research and development, facilities, equipment, labor, and capital establish and maintain a domestic industry.

B. The Respondents

1. Robert Bosch GmbH

19. On information and belief, Robert Bosch GmbH is a German corporation with its principal place of business at Robert-Bosch-Platz 1, 70839 Gerlingen-Schillerhöhe, Baden-Wuerttemberg, Germany. *See Exhibit 2* (website printout showing Robert Bosch GmbH address).

20. On information and belief, it is also the parent company of four other named Respondents in this Investigation—Bosch Automotive Products (Suzhou) Co., Ltd., Robert Bosch LLC, Robert Bosch, Sistemas Automotrices, S.A. de C.V., and Robert Bosch, Ltda. *See, infra*, Section VI.

2. Bosch Automotive Products (Suzhou) Co., Ltd.

21. On information and belief, Bosch Automotive Products (Suzhou) Co., Ltd. is a Chinese company with its principal place of business at 126 Su Hong Xi Road, Suzhou, Jiangsu, 215021, P.R. China. *See Exhibit 3* (website printout showing Bosch Automotive Products (Suzhou) Co., Ltd. address).

3. Robert Bosch LLC

22. On information and belief, Robert Bosch LLC is a limited liability company that is incorporated in Delaware with a principal place of business at 2800 South 25th Avenue, Broadview, IL 60155. *See Exhibit 4* (website printout showing Robert Bosch LLC address).

4. Robert Bosch, Sistemas Automotrices, S.A. de C.V.

23. On information and belief, Robert Bosch, Sistemas Automotrices, S.A. de C.V., is a Mexican company with its principal place of business at Prolongación Hermanos Escobar

#6965, Parque Industrial Omega, C.P., 32320 Cd. Juárez, Chihuahua, Mexico. *See Exhibit 5* (website printout showing Robert Bosch, Sistemas Automotrices, S.A. de C.V. address).

5. Robert Bosch Ltda.

24. On information and belief, Robert Bosch Ltda. is a Brazilian company with its principal place of business at Via Anhangüera, Km 98, 13065-900, Campinas-SP, Brazil. *See Exhibit 6* (website printout showing Robert Bosch Ltda. address).

6. Hon Hai Precision Industry Co., Ltd. d/b/a Foxconn Technology Group

25. On information and belief, Hon Hai Precision Industry Co., Ltd. d/b/a Foxconn Technology Group (“Hon Hai”) is a Taiwanese corporation with its principal place of business at No. 2, Zihyou Street, Tucheng Dist., New Taipei City, 236, Taiwan. *See Exhibit 7* (website printout showing Hon Hai Precision Industry Co., Ltd. address).

26. On information and belief, Hon Hai is the ultimate parent corporation of Foxconn Interconnect Technology, Ltd. *See, infra*, Section VI.

7. Foxconn Interconnect Technology, Ltd.

27. On information and belief, Foxconn Interconnect Technology, Ltd. is a Taiwanese corporation with its principal place of business at No. 2, Zihyou Street, Tucheng Dist., New Taipei City, 236, Taiwan. *See Exhibit 8* (website printout showing Foxconn Interconnect Technology, Ltd. address).

III. THE ASSERTED PATENT

A. The '766 Patent

28. On February 28, 2006, the United States Patent and Trademark Office (“USPTO”) duly and lawfully issued the '766 Patent, entitled “Tine Plate,” to inventors Ping Chen and Sunao

Mizuno. The '766 Patent issued from United States Application No. 10/955,723, filed September 29, 2004. All maintenance fees for the '766 Patent have been paid, and there are no fees currently due.

29. A certified copy of the '766 Patent is attached hereto as **Exhibit 9**. Pursuant to Commission Rule 210.12(c), a certified copy of the File History of the '766 Patent is included as **Appendix A**. Copies of the references cited in the certified file history of the '766 Patent are included as **Appendix B**.

30. The '766 Patent has 10 claims, including 2 independent claims and 8 dependent claims.

31. By way of assignment, JST holds all rights, title and interest to the '766 Patent. A certified copy of the assignment record for the '766 Patent is attached hereto as **Exhibit 10**.

32. The '766 Patent has not been licensed.

33. In accordance with Commission Rule 210.12(a)(9)(v), JST states that, with respect to the '766 Patent, JST is aware of related Japanese Patent No. 4112475, which issued on July 2, 2008 and related Chinese Patent No. 100444466, which issued on December 7, 2008. JST is aware of no other foreign counterparts issued, filed, abandoned, withdrawn, or rejected with respect to the '766 Patent.

IV. NON-TECHNICAL DESCRIPTION OF THE ASSERTED PATENT¹

34. As the name implies, electrical connectors connect both ends of an electrical circuit and allow for easier assembly and maintenance of the electrical connection. Electrical connectors can be used in a variety of applications, including computers, automobiles, and other machinery.

35. Electrical connectors have a male component (which may also be referred to as a header) that connects to a printed circuit board and a female component that connects to a wiring harness. Electrical contact pins extend through the header and connect to a printed circuit board via soldering to form reliable connections.

36. A tine plate can be positioned between the header and the printed circuit board and surround the electrical contact pins to ensure proper pin alignment and to limit pin movement. Tine plates are essentially plates that contain openings through which pins pass to help guide the placement of the pins and hold the pins in place. Use of a tine plate makes electrical connector assembly easier and faster because the tine plate retains and holds the connector contact pins in position for soldering onto a printed circuit board.

37. However, tine plates must be reliable and durable over broad temperature ranges and various environmental extremes of pressure, vibration, and shock, which can increase stress and lead to solder cracking. This is particularly true when tine plates are used in high-density connection systems, such as automotive applications that are exposed to extreme temperature

¹ The following non-technical description of the patented technology is provided solely for compliance with the Commission Rules. It is not intended to, and does not, limit, define, or otherwise affect the construction and/or application of the patent's claim language and should not be understood to do so.

and environmental conditions. Thermal expansion and contraction of the tine plate during use of the connector generates stress on the contact pin solder joints, which can lead to cracking and failure. Failure of the circuit may result in failure of the affected system in the automobile body control module. Depending on the automotive system affected, failure of the circuit could result in damage to the automobile or injury.

38. Thus, tine plates are critical in reducing the threat of solder cracking, and must be very carefully designed so that the holes are not too large (which would negate the primary function of the tine plate) and also not too restrictive (which would increase the risk of solder cracking).

39. A tine plate can be made from a different material than the other connector parts, *e.g.*, the connector pins, connector housing, or printed circuit board. Because each material has its own coefficient of thermal expansion, the component parts expand and contract under environmental conditions at different rates. Thermal expansion and contraction generates stress on the contact pin solder joints leading to solder joint cracking and connector failure. Use of the electrical connector in high-density connection systems, such as automobiles, can subject the connector to environmental extremes of temperature, pressure, vibration, and shock, resulting in increased risk of stress on the contact pin solder joints. The '766 patent, *inter alia*, addressed and solved these difficulties.

40. After years of research, development, and engineering, the inventors of the '766 Patent developed an improved electrical connector, including a tine plate with through holes that are elongated in the longitudinal direction of the tine plate. The invention reduces the risk of

stress buildup on the connector pin solder joints that leads to solder cracking but still enables the tine plate to successfully serve its primary functions to guide and support the pins.

41. Objective indicia of non-obviousness support the validity of the '766 patent. For example, the Respondents copied the commercial embodiment of the claims, commercial embodiments of the claims are commercially successful, the claimed invention met a long-felt but unmet need in the technology space, others failed to solve the long-felt need addressed by the invention, the claimed invention exhibits unexpected superiority, experts initially expressed skepticism of the claimed invention, others taught away from the claimed invention, and the claimed invention has been praised by others.

V. THE ACCUSED PRODUCTS

42. The Accused Products are electrical connectors, components thereof, and products containing the same that infringe the '766 Patent. The Accused Products include, at least, the Bosch Global A BCM header connector, which is also known as the 183-pin BCM connector. The Bosch Global A BCM header connector can both be a standalone product and be incorporated into larger products, such as, for example, the Bosch Body Control Module (at least part numbers 13594564 and 13594587).² Both the standalone header connector and products that incorporate the header connector constitute "Accused Products."

² JST has identified these products based on information that is publicly available at this time. *See, e.g., Physical Exhibit 1.* This list is non-limiting, and JST expects to identify additional infringing products during discovery.

VI. RESPONDENTS' UNLAWFUL AND UNFAIR ACTS

A. Importation and Sale

43. Respondents import, sell for importation, and/or sell within the United States after importation certain electrical connectors, components thereof, and products containing the same, including the Bosch 183-pin BCM connector and the Bosch Body Control Module that infringe the Asserted Patent.

44. The specific instances set forth below are representative examples of Respondents' unlawful acts.

1. Robert Bosch GmbH

45. On information and belief, Robert Bosch GmbH directs both (1) Foxconn Interconnect Technology, Ltd. to manufacture Accused Products, including the accused Bosch 183-pin BCM connector, in China and sell them for importation into the United States and (2) Robert Bosch LLC to import into, and sell in the United States after importation, Accused Products. *See Exhibit 11* (ImportGenius.com Records showing the importation of Bosch 183-pin connectors from Foxconn Interconnect Technology, Ltd. to Robert Bosch LLC); **Confidential Exhibit 12** (email from Robert Bosch GmbH confirming the Bosch Respondents provided JST documents to Foxconn); **Exhibit 13** (Bosch 2015 Annual Report, p.137). On information and belief, the imported items are the same or similar to the 183-pin BCM connector contained within the exemplary product purchased by JST and provided to the Commission. *See Physical Exhibit 1.*

46. On information and belief, Robert Bosch GmbH also directs both (1) Robert Bosch, Sistemas Automotrices, S.A. de C.V. to manufacture Accused Products, including the

Bosch Body Control Module, in Mexico and sell them for importation into the United States and (2) Robert Bosch Ltda. to import into, and sell in the United States after importation, Accused Products. *See* **Exhibit 13** (Bosch 2015 Annual Report, p.136); **Exhibit 14** (ImportGenius.com records showing importation of “electronic control units” from Robert Bosch, Sistemas Automotrices, S.A. de C.V. to Robert Bosch Ltda.). On information and belief, the imported items are the same or similar to the exemplary product purchased by JST and provided to the Commission. *See* **Physical Exhibit 1**.

47. **Physical Exhibit 1** was purchased by JST from Feldman Chevrolet of Novi in Novi, Michigan on January 17, 2017 for \$155.52. *See* **Exhibit 15** (Receipt for Purchase of Receipt for Purchase of Bosch Body Control Module Model No. 13594587). The casing of the Bosch Body Control Module Model No. 13594587 containing the 183-pin BCM connector states “Assembled in Mexico.” **Exhibit 17**, p.8 (Photographs of a Bosch Body Control Module Model No. 13594587 with 183-pin connector); *see also* **Physical Exhibit 1**.

2. **Bosch Automotive Products (Suzhou) Co., Ltd.**

48. On information and belief, Bosch Automotive Products (Suzhou) Co., Ltd. directs Foxconn Interconnect Technology, Ltd. to manufacture Accused Products, including the accused Bosch 183-pin BCM connector, in China and then sell them for importation into the United States. *See* **Confidential Exhibit 16** (email from Bosch Automotive Products (Suzhou) Co., Ltd. regarding JST documents provided to Foxconn, with selected attachment);³ **Confidential**

³ JST received **Confidential Exhibit 16** from Robert Bosch GmbH as part of discussions regarding what information the Bosch Respondents provided to Foxconn. Reference in the email to the “RFQC” package refers to the package of information the Bosch Respondents provided to Foxconn, which includes JST’s detailed technical drawings and specifications of the patented

Exhibit 12 (email from Robert Bosch GmbH confirming the Bosch Respondents provided JST documents to Foxconn); *see also* **Exhibit 11** (ImportGenius.com Records showing the importation of Bosch 183-pin connectors from Foxconn Interconnect Technology, Ltd. to Robert Bosch LLC).

3. Robert Bosch LLC

49. On information and belief, at least since 2015, Robert Bosch LLC, at the direction of Robert Bosch GmbH, imports into the United States, and sells in the United States after importation, Accused Products, including the accused Bosch 183-pin BCM connector. *See* ¶ 45, *supra*.

4. Robert Bosch, Sistemas Automotrices, S.A. de C.V.

50. On information and belief, at least since July 2015, Robert Bosch, Sistemas Automotrices, S.A. de C.V., at the direction of Robert Bosch GmbH and Robert Bosch Ltda., manufactures in Mexico, and then sells for importation into the United States, Accused Products, including the Bosch Body Control Module. *See* ¶¶ 46-47, *supra*.

5. Robert Bosch Ltda.

51. On information and belief, Robert Bosch Ltda. both (1) directs Robert Bosch, Sistemas Automotrices, S.A. de C.V. to manufacture in Mexico, and then sell for importation into the United States, Accused Products, including the Bosch Body Control Module, and (2) itself, at

technology. Excerpts of the JST documents that were included in the “RFQC” package are included in **Confidential Exhibit 16**. On information and belief, using JST’s connector as a model, Foxconn developed—and supplies to the Bosch Respondents—a connector that copies JST’s patented technology.

least since July 2015, imports into the United States, and sells in the United States after importation, Accused Products. *See* ¶¶ 46-47, *supra*.

6. Hon Hai Precision Industry Co., Ltd. d/b/a Foxconn Technology Group

52. On information and belief, Hon Hai Precision Industry Co., Ltd. d/b/a Foxconn Technology Group directs Foxconn Interconnect Technology, Ltd. to manufacture in China, and then sell for importation into the United States, Accused Products, including the accused Bosch 183-pin BCM connector. *See Exhibit 11* (ImportGenius.com Records showing the importation of Bosch 183-pin connectors from Foxconn Interconnect Technology, Ltd. to Robert Bosch LLC); *Exhibit 18*, Table 1, Page 9 (Hon Hai Precision Industry Co., Ltd. and Subsidiaries Consolidated Financial Statements and Report of Independent Accountants December 31, 2015 and 2014). On information and belief, the imported items are the same or similar to the 183-pin BCM connector contained within the exemplary product purchased by JST and provided to the Commission. *See Physical Exhibit 1*.

7. Foxconn Interconnect Technology, Ltd.

53. On information and belief, at least since 2015, Foxconn Interconnect Technology, Ltd., at the direction of Foxconn Technology Group and the Bosch Respondents, manufactures in China, and then sells them for importation into the United States, Accused Products, including the accused Bosch 183-pin BCM connector. *See* ¶¶ 45, 48, 52 *supra*.

B. Direct Infringement

54. Respondents directly infringe and continue to infringe, literally or under the doctrine of equivalents, the Asserted Claims by at least the manufacture, importation, use, offer for sale, and/or sale of the Accused Products without authority from JST.

55. On information and belief, the Accused Products infringe at least claims 2, 4, 9, and 10 of the '766 Patent. A claim chart comparing an exemplary Accused Product to the '766 Patent's asserted claims is attached as **Exhibit 20**.

56. On information and belief, the Respondents maintain commercially-significant inventory of Accused Products in the United States.

C. Indirect Infringement

57. On information and belief, the Bosch Respondents and Foxconn Technology Group have also induced and continue to induce others to infringe, literally or under the doctrine of equivalents, the Asserted Claims.

58. For example, on information and belief, the Bosch Respondents and Foxconn Technology Group have specifically instructed Foxconn Interconnect Technology, Ltd. to manufacture Accused Products on their behalf, which are then sold for importation into the United States. *See* **Confidential Exhibit 12** (email from Robert Bosch GmbH confirming the Bosch Respondents provided JST documents to Foxconn); **Confidential Exhibit 16** (email from Bosch Automotive Products (Suzhou) Co., Ltd. regarding JST documents provided to Foxconn, with selected attachment); **Exhibit 11** (ImportGenius.com records showing the importation of "Bosch 183-pin Connectors" from Foxconn Interconnect Technology, Ltd. to Robert Bosch LLC); **Exhibit 18**, Table 1, Page 9 (Hon Hai Precision Industry Co., Ltd. and Subsidiaries Consolidated Financial Statements and Report of Independent Accountants December 31, 2015 and 2014). The Accused Products are then imported into the United States and sold after importation into the United States by the Bosch Respondents. *See* **Exhibit 11** (ImportGenius.com records showing the importation of "Bosch 183-pin Connectors" from

Foxconn Interconnect Technology, Ltd. to Robert Bosch LLC); **Exhibit 14** (ImportGenius.com Records showing the importation of “Electronic Control Units” from Robert Bosch, Sistemas Automotrices, S.A. de C.V. to Robert Bosch Ltda.).

59. It is undisputed that at least as of the date of this Complaint, Respondents had notice of both the Asserted Patent and JST’s infringement allegations. JST will also serve a copy of this Complaint on the Respondents on the same day the Complaint is filed. On information and belief, Respondents’ importation, sale for importation, and sale in the United States after importation are continuing.

VII. HARMONIZED TARIFF SCHEDULE

60. The Accused Products fall within at least the following headings and subheadings of the United States Harmonized Tariff Schedule (“HTS”): 8536.69.4051. This HTS number is illustrative only and not intended to limit the scope of the investigation.

VIII. THE DOMESTIC INDUSTRY

61. On information and belief, and as required by 19 U.S.C. §§ 1337(a)(2) and (a)(3), a domestic industry exists in the United States relating to the Asserted Patent and articles protected by the Asserted Patent. The Asserted Patent contributes to JST’s success in the highly competitive electrical connector industry by providing JST with patented features that result in a more reliable, durable product that can be efficiently assembled.

62. JST’s S44B-RAD-1AK header (the “Domestic Article”) utilizes the patented technology.

63. The research, development, design, engineering, testing, validation, manufacture, quality control, quality assurance, customer support, and customer training were/are performed at

JST's facilities in the United States. Specifically, the research, development, design, engineering, testing, and validation of the Domestic Article occurred at JST's facilities in Detroit, Michigan and Waukegan, Illinois. The assembly tooling, stamping, dies, and injection molds that are used in the manufacture of the Domestic Article are made at JST's Production Engineering Center in Harrisburg, Pennsylvania. The manufacturing and quality control of the Domestic Article occurs at JST's facility in Waukegan, Illinois. And quality assurance, customer support, and customer training of the Domestic Article occur at JST's facility in Detroit, Michigan.

64. JST invests in exploiting the Asserted Patent in the United States, including by expending resources in the United States on plant and equipment, labor and capital, and engineering, research and development related to the Domestic Article. **Confidential Exhibit 1** is a declaration detailing JST's domestic activities and investments in plant and equipment, employment of labor and capital, and the exploitation of, or related to, the Asserted Patent and the Domestic Article.

A. JST's Economic Activity in the United States Relating to the Domestic Article

1. Investment in Facilities and Equipment

65. JST manufactures the Domestic Article exclusively from its facility located in Waukegan, Illinois. This facility is used for the manufacture, quality control, packaging, and shipping of JST's Domestic Article. *See Confidential Exhibit 1* (Schindler Decl.), ¶¶ 16, 26.

66. JST's Waukegan facility contains all of the equipment used to manufacture the Domestic Article. *Id.* at ¶ 30.

67. The research, development, engineering, testing, and validation for the Domestic Article occurred at JST's facilities in Detroit, Michigan and Waukegan, Illinois. These facilities

house the equipment and development tools that JST used in the research, development, engineering, and testing of the Domestic Article. *Id.* at ¶¶ 14, 51.

68. JST's Detroit facility is currently involved in short-term storage, sales, marketing, quality assurance, customer training, and customer support related to the Domestic Article. *Id.* at ¶¶ 17, 18.

69. Finally, JST makes the assembly tooling, stamping, dies, and injection molds to be used in the manufacture of the Domestic Article at its facility in Harrisburg, Pennsylvania. *Id.* at ¶ 15.

2. Investment in Labor and Capital

70. As detailed in **Confidential Exhibit 1**, JST employs technicians and employees at its Waukegan facility that are engaged in the manufacture of the Domestic Article. *Id.* at ¶¶ 33-42.

3. Investment in Engineering and Research and Development

71. In addition, JST invested to research, develop, and engineer the Domestic Article. *Id.* at ¶¶ 46-54.

72. As detailed in the Schindler Declaration, JST performed numerous studies and tests at its facilities in Detroit and Waukegan during the research, development, and engineering of the Domestic Article. *Id.* at ¶¶ 48-50.

B. The Domestic Industry Product

73. JST's Model No. S44B-RAD-1AK practices the Asserted Patent. An exemplary claim chart, attached as **Confidential Exhibit 21**, demonstrates that the Domestic Article falls within the scope of at least claims 1-3, 6, 9, and 10 of the '766 Patent.

74. A representative physical sample of the Domestic Article is provided to the Commission. *See Physical Exhibit 2* (Physical Sample of JST Model No. S44B-RAD-1AK).

IX. RELATED LITIGATION

75. JST is concurrently asserting the Asserted Patent in the Northern District of Illinois against the Respondents. No case caption is available yet for the Northern District of Illinois.

76. JST has also brought a trade secret misappropriation, copyright infringement, unfair competition, unjust enrichment, and breach of settlement agreement action against Robert Bosch GmbH and Robert Bosch LLC in the Eastern District of Michigan for their prohibited acts with respect to the same technology. *See Exhibit 22* (Complaint for Trade Secret Misappropriation, Copyright Infringement, Unfair Competition, Unjust Enrichment, and Breach of Settlement Agreement in *J.S.T. Corporation v. Robert Bosch LLC, f/k/a Robert Bosch Corporation, and Robert Bosch GmbH*, Case No. 2:15-cv-13842-RHC-MKM). Fact discovery in this case is set to close on April 7, 2017, and a trial date has not yet been set.

X. RELIEF REQUESTED

77. WHEREFORE, by reason of the foregoing, Complainant JST requests that the United States International Trade Commission:

A. Institute an immediate investigation under Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, with respect to Respondents' violations of that section based on the unlawful 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 electrical connectors,

components thereof, and products containing the same that infringe one or more claims of the Asserted Patent;

B. Schedule and conduct an evidentiary hearing on permanent relief under 19 U.S.C. §§ 1337(d) and (f) of the Tariff Act of 1930, as amended;

C. Determine that each Respondent has violated Section 337;

D. Issue a Limited Exclusion Order under 19 U.S.C. § 1337(d) specifically directed to each named Respondent barring and excluding from entry into the United States any article that infringes one or more claims of the Asserted Patent;

E. Issue permanent cease and desist orders under 19 U.S.C. § 1337(f) prohibiting any and all Respondents and their affiliates, subsidiaries, successors, or assigns, from importing, selling for importation, marketing, demonstrating, distributing, offering for sale, selling after importation, or transferring, including moving or shipping inventory in the United States, any article that infringes one or more claims of the Asserted Patent;

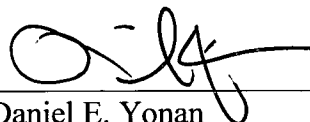
F. Impose a bond upon Respondents who continue to import infringing articles during the 60-day Presidential review period per 19 U.S.C. § 1337(j);

G. Issue such other and further relief as the Commission deems just and proper under the law based upon the facts determined by the Investigation and the authority of the Commission; and

H. Find that the public interest is not affected by the remedial orders requested by JST and, therefore, not delegate this issue for further discovery to the Administrative Law Judge.

Dated: February 6, 2017

Respectfully submitted,



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