

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

CERTAIN CARBURETORS AND  
PRODUCTS CONTAINING SUCH  
CARBURETORS

Inv. No. 337-TA-1123

**ORDER NO. 18: INITIAL DETERMINATION GRANTING RESPONDENT FUJIAN HUALONG CARBURETOR CO., LTD'S MOTION TO TERMINATE BASED ON CONSENT ORDER AND IMMEDIATE STAY OF ALL DUE DATES**

(September 12, 2018)

On August 23, 2018, Respondent Fujian Hualong Carburetor Co, Ltd. ("Fujian Hualong") moved (1123-012) to terminate the Investigation as to Fujian Hualong based on a Consent Order Stipulation and Proposed Consent Order. On September 4, 2018, the Commission Investigative Staff ("Staff") filed a response in support of the motion and Complainant Walbro, LLC ("Walbro") opposed the motion.

Fujian Hualong notes that "[t]he Commission has authority to terminate an investigation against a respondent based upon a consent order." (Mem. at 3<sup>1</sup> (citing 19 U.S.C. § 1337(c).) Fujian Hualong asserts that the Consent Order Stipulation and Proposed Consent Order comply with the Commission Rules. (*Id.* at 7-8.) Fujian Hualong also asserts that "[s]ettlement is in the public interest as it conserves judicial and party resources." (*Id.* at 9.)

Staff agrees that Fujian Hualong's Consent Order Stipulation and Proposed Consent Order comply with the Commission Rules. (Staff Resp. at 4-8.) Staff states that it "is not aware of any information indicating that termination of the investigation with respect to Fujian [Hualong]" is contrary to the public interest. (*Id.* at 8.)

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<sup>1</sup> Fujian Hualong's memorandum continues the pagination from the motion. Thus, the first page of the memorandum is labeled as page 3.

Walbro asserts that the Proposed Consent Order is “improperly restricted.” (Opp. at 5.) Walbro explains that the Proposed Consent Order covers only the specific products named in the Complaint: the MC16A17-1, TI-2, and TI-5A carburetor products. (*Id.* at 2.) Walbro argues that the scope of the investigation “is not limited to [these] three specific models of products.” (*Id.* at 5.) Walbro explains that, through discovery requests, it will “seek[] the identification of other infringing products Fujian Hualong may have that would be involved in this Investigation and the inventories of such products.” (*Id.* at 6.)

In accordance with Commission Rule 210.21(c)(1)(ii), Fujian Hualong has entered into a “Consent Order Stipulation” and a proposed “Consent Order,” attached hereto as Attachments A and B. 19 C.F.R. § 210.21(c)(1)(ii). Commission Rule 210.21(c)(3) sets forth certain requirements for the contents of a consent order stipulation. 19 C.F.R. § 210.21(c)(3). The Consent Order Stipulation submitted by Fujian Hualong complies with the requirements of Commission Rule 210.21(c)(3).

Specifically, Fujian Hualong agrees that upon entry of the Consent Order:

Fujian Hualong . . . will not sell for importation, import into the United States or sell after importation carburetors, including the carburetors identified in the Complaint, and products containing such carburetors<sup>2</sup> that infringe any of claims 1 and 18 of the '547 Patent and claims 1-7, 12, and 13 of the '254 Patent, directly or indirectly, and shall not aid, abet, encourage, participate in, or induce the sale for importation, the importation, or the sale after importation except under consent or license from [Walbro].

(Consent Order Stip. ¶ 3.) Pursuant to Commission Rule 210.21(c)(3)(i), Fujian Hualong also agrees to:

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<sup>2</sup> This statement demonstrates that, contrary to Walbro’s representation, the Consent Order Stipulation and Proposed Consent Order are not limited to the two specific products accused of infringement in the Complaint.

- (1) admit that the Commission has *in rem* jurisdiction over the subject matter of this Investigation, and *in personam* jurisdiction over Fujian Hualong (*see* Consent Order Stip. ¶ 1);
- (2) expressly waive all rights to seek judicial review or otherwise challenge or contest the validity of the Consent Order (*id.* at ¶ 4);
- (3) cooperate with and 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 (*id.* at ¶ 5); and
- (4) the enforcement, modification, or revocation of the Consent Order being carried out pursuant to Subpart I of Part 210 of 19 C.F.R. § 210 (*id.* at ¶ 6).

Because this is an intellectual property-based investigation and in accordance with Commission Rule 210.21(c)(3)(i)(B), the Consent Order Stipulation also states that:

- (1) the Consent Order shall not apply with respect to any claim an intellectual property right that has expired or been found or adjudicated invalid or unenforceable by the Commission or a court or agency of competent jurisdiction, provided that such finding or judgment has become final and non-reviewable (*id.* at ¶ 8); and
- (2) Fujian Hualong will not seek to challenge the validity of the Asserted Patents in any administrative or judicial proceeding to enforce the Consent Order (*id.* at ¶ 10).

Additionally, Commission Rule 210.21(c)(4) sets forth certain requirements for the contents of the consent order. 19 C.F.R. § 210.21(c)(4). The Consent Order submitted by Fujian Hualong complies with the requirements of Commission Rule 210.21(c)(4).<sup>3</sup>

Consistent with 19 C.F.R. § 210.21(c), Fujian Hualong represents that “there are no other agreements, written or oral, express or implied between the parties concerning the subject matter of the investigation.” (Mem. at 9.)

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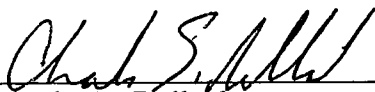
<sup>3</sup> Staff notes that the Proposed Consent Order erroneously includes a signature block for the undersigned, rather than the Commission Secretary. (Staff Resp. at 8 n. 6.) The undersigned agrees that, rather than deny the motion on this basis, the signature block should be amended. The attached consent order reflects this amendment.

In any initial determination terminating an investigation by settlement agreement or consent order, the administrative law judge is directed to consider and make appropriate findings regarding the effect of the consent order on the public health and welfare, competitive conditions in the United States economy, production of like or directly competitive articles in the United States, and United States consumers. 19 C.F.R. § 210.50(b)(2). Fujian Hualong submits that “[s]ettlement is in the public interest as it conserves judicial and party resources.” (Mem. at 9.) Staff agrees that “there are no public interest concerns weighing against termination of the investigation with respect to Fujian [Hualong].” (Staff Resp. at 8-9.) The undersigned finds that termination of this Investigation does not impose any undue burdens on the public health and welfare, competitive conditions in the United States economy, production of like or directly competitive articles in the United States, or United States consumers.

Accordingly, for good cause shown, it is the undersigned’s Initial Determination that Fujian Hualong’s motion (1123-012) to terminate this Investigation based on a consent order stipulation and a proposed consent order be granted. The undersigned further finds that Fujian Hualong’s request for a stay should be granted and hereby stays the Investigation as to Fujian Hualong pending final resolution of this motion.

This Initial Determination, along with supporting documentation, is hereby certified to the Commission. Pursuant to 19 C.F.R. § 210.42(h), this Initial Determination shall become the determination of the Commission unless a party files a petition for review of the Initial Determination pursuant to 19 C.F.R. § 210.43(a), or the Commission, pursuant to 19 C.F.R. § 210.44, orders, on its own motion, a review of the Initial Determination or certain issues, herein.

**SO ORDERED.**

  
\_\_\_\_\_  
Charles E. Bullock  
Chief Administrative Law Judge

# **ATTACHMENT A**

**UNITED STATES INTERNATIONAL TRADE COMMISSION**  
**Washington, DC**

**Before the Honorable Charles E. Bullock**  
**Chief Administrative Law Judge**

In the Matter of

CERTAIN CARBURETORS AND  
PRODUCTS CONTAINING SUCH  
CARBURETORS

Investigation No. 337-TA-1123

**CONSENT ORDER STIPULATION OF RESPONDENT FUJIAN HUALONG**  
**CARBURETOR CO., LTD.'S**

**WHEREAS**, Walbro, LLC (“Complainant”) filed a Complaint before the United States International Trade Commission (the “Commission”) on June 14, 2018, and a supplement to the complaint was filed on June 22, 2018. The complaint, as supplemented, alleges violations of Section 337 in the alleged importation into the United States, sale for importation into the United States, and/or sale within the United States after importation of certain carburetors and products containing such carburetors that allegedly infringe certain claims of U.S. Patent No. 6,394,424 (“the ’424 Patent”), U.S. Patent No. 6,439,547 (“the ’547 Patent”), U.S. Patent No. 6,533,254 (“the ’254 Patent”), U.S. Patent No. 6,540,212 (“the ’212 Patent”), and U.S. Patent No. 7,070,173 (“the ’173 Patent”);

**WHEREAS**, Complainant alleges that Respondent Fujian Hualong Carburetor Co., Ltd. (“Fujian Hualong”) infringes claims 1 and 18 of the ’547 Patent and claims 1-7, 12 and 13 of the ’254 Patent (’547 Patent and ’254 Patent collectively, the “Asserted Patents”);

**WHEREAS**, Complainant does not allege that Respondent Fujian Hualong Carburetor Co., Ltd. (“Fujian Hualong”) infringes any claims of the ’424 Patent, the ’212 Patent and the ’173 Patent;

**WHEREAS**, Jiezhao Zheng has signatory authority as the CEO of Fujian Hualong Carburetor Co., Ltd.;

**WHEREAS**, Fujian Hualong enters into this Consent Order Stipulation and agrees to entry of a Consent Order from the Commission to settle this dispute and terminate this Investigation as to Fujian Hualong;

**WHEREAS**, Fujian Hualong agrees to the entry of a Consent Order by the Commission in the form attached hereto as Attachment B in order to terminate this Investigation as to Fujian Hualong and avoid the costs and inconveniences associated therewith;

**NOW THEREFORE**, pursuant to Commission Rule 210.21(c)(1)(ii) and (c)(3) (19 C.F.R. § 210.21(c)(1)(ii) and (c)(3)), Fujian Hualong stipulates and agrees as follows:

1. The Commission has *in rem* jurisdiction over the carburetors and products containing such carburetors that are the basis of this Investigation, subject matter jurisdiction over this Investigation, and personal jurisdiction over Fujian Hualong for purposes of this Consent Order.
2. Complainant alleges that certain products containing Fujian Hualong's carburetors infringe claims 1 and 18 of the '547 Patent and claims 1-7, 12 and 13 of the '254 Patent.
3. Upon entry of the Consent Order, Fujian Hualong (including Fujian Hualong's officers, directors, employees, agents, or any entity or individual acting on Fujian Hualong's behalf and with Fujian Hualong's authority) will not sell for importation, import into the United States, or sell after importation carburetors, including the carburetors identified in the Complaint, and products containing such carburetors that infringe any of claims 1 and 18 of the '547 Patent and claims 1-7, 12 and 13 of the '254 Patent, directly or indirectly, and shall not aid, abet, encourage, participate in, or induce the sale for importation, the importation, or the sale after importation except under consent or license from Complainant. Fujian Hualong has no inventory in the



United States of carburetors or products containing such carburetors that infringe any of claims 1 and 18 of the '547 Patent and claims 1-7, 12 and 13 of the '254 Patent.

4. Fujian Hualong expressly waives all rights to seek judicial review or otherwise challenge or contest the validity of the Consent Order.

5. Fujian Hualong will cooperate with and will 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 C.F.R. Part 210.

6. The enforcement, modification, and revocation of the Consent Order will be carried out pursuant to Subpart I of Part 210, Title 19 Code of Federal Regulations, incorporating by reference the Commission's Rules of Practice and Procedure.

7. Fujian Hualong's signing of this Stipulation is for settlement purposes only and does not constitute admission by Fujian Hualong that an unfair act or infringement has been committed.

8. The Consent Order shall not apply with respect to any claim of any Asserted Patent that has expired or been found or adjudicated invalid or unenforceable by the Commission or a court or agency of competent jurisdiction, or any articles that has been found or adjudicated not to infringe the Asserted Patent provided that such finding or judgment has become final and nonreviewable.

9. The Consent Order shall have the same force and effect and may be enforced, modified, or revoked in the same manner as is provided in section 337 of the Tariff Act of 1930 and Part 210, Title 19 of the Code of Federal Regulations, and the Commission may require periodic compliance reports pursuant to subpart I of Part 210, Title 19 Code of Federal Regulations.

10. Fujian Hualong will not seek to challenge the validity of the patent rights of the Asserted Patents in any administrative or judicial proceeding to enforce the Consent Order.

Attested to and signed on this \_\_\_\_\_ day of August, in Fuding City, China.

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Jiezhao Zheng

**On behalf of Fujian Hualong  
Carburetor Co., Ltd.**



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Tel +86.21.6137.7999 | fax +86.21.6137.7900

Estelle Huang  
tel: 86.21.6137.7931  
estelle.huang@pillsburylaw.com

August 20, 2018

To Whom It May Concern,  
Salutation

I, Estelle Huang, hereby certify that I'm a native speaker of Chinese and I have been learning English for over 20 years. I am knowledgeable about Chinese and English.

To the best of my knowledge the Chinese document attached to this letter as listed below:

- Attachment A\_CN.pdf

is true and accurate translation of the original English document with the document file name as listed below provided to me.

- Attachment A\_EN.pdf

I understand that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. §1001) and may jeopardize the validity of the application or any patent issuing thereon. I declare under penalty of perjury that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true.

Very truly yours,

Estelle Huang  
China Advisor  
Pillsbury Winthrop Shaw Pittman

pillsbury

附件 A



美国国际贸易委员会  
华盛顿哥伦比亚特区

尊敬的 Charles E. Bullock  
首席行政法官

事项

某化油器和含有该化油器的产品

调查案件号：337-TA-1123

福建华龙化油器有限公司同意令条款说明

鉴于，Walbro, LLC (“原告”) 于 2018 年 6 月 14 日向美国国际贸易委员会 (“委员会”) 提交了一封起诉书，并于 2018 年 6 月 22 日提交该起诉书的补充。该经补充的起诉书，声称某化油器和含有该化油器的产品侵犯了美国专利 6,394,424 (“’424 专利”)、美国专利 6,439,547 (“’547 专利”)、美国专利 6,533,254 (“’254 专利”)、美国专利 6,540,212 (“’212 专利”) 以及美国专利 7,070,173 (“’173 专利”) 的某些权利要求，并且指控向美国进口、为了向美国进口而销售和/或进口后在美国销售该种化油器和含有该化油器的产品违反了 337 条款。

鉴于，原告指控被告福建华龙化油器有限公司 (“福建华龙”) 侵犯了’547 专利的权利要求 1 和 18，以及’254 专利的权利要求 1-7, 12 和 13 (“’547 专利和’254 专利合并称为“涉诉专利”)；

鉴于，原告并未指控被告福建华龙化油器有限公司 (“福建华龙”) 侵犯’424 专利、’212 专利或’173 专利的任何权利要求；

鉴于，郑节昭先生作为福建华龙化油器有限公司的总经理，拥有代表福建华龙签字的权利；



鉴于，福建华龙达成该同意令条款说明并且同意达成由委员会发布的同意令，以解决该争端并且终结针对福建华龙的调查；

鉴于，福建华龙同意以此处附件 B 的形式达成由委员会发布的同意令，以终结对福建华龙的调查和避免随之而来的花费与不便；

据此，根据委员会规则 210.21(c)(1)(ii) 和 (c)(3)（《美国联邦法规》标题 19 第 § 210.21(c)(1)(ii) 和 (c)(3) 条），福建华龙声明且同意如下；

1. 基于该同意令的目的，委员会对作为该调查基础的化油器及包含该化油器的产品拥有属物管辖权，对于该调查拥有级别管辖权，以及对于福建华龙拥有属人管辖权。
2. 原告指控包含福建华龙化油器的某些产品侵犯了'547 专利的权利要求 1 和 18，以及'254 专利的权利要求 1-7，12 和 13。
3. 达成同意令后，除非获得原告的同意或许可，福建华龙（包括福建华龙的官员、董事、职员、代理人或是获得福建华龙授权的代表其行事的任何实体或个人）不会直接或间接的为了向美国进口而销售、进口美国或是进口后在美国销售化油器，包括在起诉书中列明的侵犯'547 专利的权利要求 1 和 18，以及'254 专利的权利要求 1-7，12 和 13 的化油器以及包含该化油器的产品，并且不应该帮助、怂恿、鼓励、参与或诱导向美国进口而销售、进口美国或是进口后在美国销售化油器。福建华龙在美国没有侵犯'547 专利的权利要求 1 和 18，以及'254 专利的权利要求 1-7，12 和 13 的化油器库存或是包含该化油器产品的库存。
4. 福建华龙明确放弃就同意令的效力寻求司法审查或是其他挑战或质疑的所有权利。



5. 福建华龙将配合并且不会试图通过诉讼或者其他手段来阻碍委员会根据《美国联邦法规》标题 19 第 210 部分的第 I 部分，《委员会的实践与程序规则》进行的信息搜集。

6. 同意令的执行、修改和撤销将会根据《美国联邦法规》标题 19 第 210 部分的第 I 部分，参照《委员会的实践与程序规则》进行。

7. 福建华龙签署该条款说明仅仅是出于和解的目的，并不构成福建华龙就其进行过任何不公平行为或是侵权的承认。

8. 若任何涉诉专利的任何权利要求过期或是被委员会、法院或有管辖权的机构宣告或判定无效或不可执行，或是任何物品被宣告或判定不侵犯涉诉专利，并且当该种宣告或判定为终局且不可审查时，则该同意令将不适用。

9. 该同意令应该拥有与在 1930 年《美国关税法案》第 337 条以及《美国联邦法规》标题 19 第 210 部分中规定的同等效力并且能够按照其规定的相同方式得以执行、修改或撤销，并且委员会能够根据《美国联邦法规》标题 19 第 210 部分的第 I 部分要求定期合规报告。

10. 福建华龙将不会试图在任何行政或是司法程序中挑战涉诉专利的专利权利的有效性以强制执行该同意令。

pillsbury

8月20日于中国福鼎市证实且签署。

郑节昭

郑节昭

代表福意华龙化油器有限公司



# **ATTACHMENT B**

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC

Before the Honorable Charles E. Bullock  
Chief Administrative Law Judge

In the Matter of

CERTAIN CARBURETORS AND  
PRODUCTS CONTAINING SUCH  
CARBURETORS

Investigation No. 337-TA-1123

**[PROPOSED] CONSENT ORDER**

The U.S. International Trade Commission (“Commission”) has instituted an investigation at the request of Walbro, LLC (“Walbro”) against Respondent Fujian Hualong Carburetor Co., Ltd. (“Fujian Hualong”). The Complaint, as supplemented, alleges violations of 19 U.S.C. § 1337 based upon the sale for importation into the United States, importation into the United States, and/or sale after importation into the United States of certain carburetors and products containing such carburetors that infringement claims 1 and 18 of U.S. Patent No. 6,439,547 (“the ’547 Patent”) and claims 1-7, 12 and 13 of U.S. Patent No. 6,533,254 (“the ’254 Patent”). The Commission instituted this investigation on July 17, 2018, and the Notice of Institution was published in the Federal Register on July 20, 2018. 83 *Fed. Reg.* 34614.

Without admitting that an unfair act or infringement has been committed, Fujian Hualong has executed a Consent Order Stipulation and moved for an Initial Determination terminating this investigation by entry of a Consent Order.

Upon entry of the Consent Order, Fujian Hualong (including Fujian Hualong’s officers, directors, employees, agents, or any entity or individual acting on Fujian Hualong’s behalf and with Fujian Hualong’s authority) shall not directly or indirectly sell for importation, import, or

sell after importation carburetors and products containing such carburetors that infringement claims 1 and 18 of the '547 Patent and claims 1-7, 12 and 13 of the '254 Patent. Fujian Hualong shall not aid, abet, encourage, participate in, or induce the sale for importation, the importation, or the sale after importation except under consent, license from Walbro, or to the extent permitted by a settlement agreement between Walbro and Fujian Hualong.

Fujian Hualong stipulates that no inventory exists in the United States, thus a statement regarding disposition of existing U.S. inventories of the subject articles is not necessary.

Fujian Hualong stipulates that no inventory exists in the United States, thus an order to cease and desist from importing and distributing articles covered by the asserted patent claims is not necessary.

Fujian Hualong shall be precluded from seeking judicial review or otherwise challenging or contesting the validity of the Consent Order.

Fujian Hualong 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 C.F.R. Part 210.

Fujian Hualong 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 claims of the asserted patents in any administrative or judicial proceeding to enforce the Consent Order.

When U.S. Patent No. 6,439,547 or 6,533,254 expires the Consent Order shall become null and void as to such patent. If any asserted claim of U.S. Patent Nos. 6,439,547 or 6,533,254 is held invalid or unenforceable by a court or agency of competent jurisdiction or as to any articles that has been found or adjudicated not to infringe the asserted right in a final decision, no

longer subject to appeal, this Consent Order shall become null and void as to such invalid or unenforceable claim.

All jurisdictional facts are admitted by stipulation. The Commission has in rem jurisdiction and personal jurisdiction.

This investigation is hereby terminated with respect to Fujian Hualong; provided, however, that enforcement, modification, or revocation of the 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 COMMISSOIN

Issued: \_\_\_\_\_, 2018

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Lisa R. Barton  
Secretary to the Commission

**CERTAIN CARBURETORS AND PRODUCTS  
CONTAINING SUCH CARBURETORS**

**Inv. No. 337-TA-1123**

Certificate of Service – Page 1

I, Lisa R. Barton, hereby certify that the attached **ORDER NO. 18** has been served by hand upon the Commission Investigative Attorney, Vu Bui, Esq., and the following parties as indicated, on **September 12, 2018**.



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

<b><u>On Behalf of Complainant Walbro, LLC:</u></b>	
Richard W. Hoffmann, Esq. <b>REISING ETHINGTON, PC</b> 755 W. Big Beaver Rd., Suite Troy, MI 48084	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____
<b><u>RESPONDENTS:</u></b>	
<b><u>On Behalf of Respondents HusQvarna Professional Products, Inc. and Lowe's Companies, Inc.:</u></b>	
Joshua B. Pond, Esq. <b>KILPATRICK TOWNSEND &amp; STOCKTON LLP</b> 607 14 <sup>TH</sup> Street, NW, Suite 900 Washington, DC 20005	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____
<b><u>On Behalf of Respondent Amazon.com, Inc.:</u></b>	
Stefani E. Shanberg, Esq. <b>MORRISON &amp; FOERSTER LLP</b> 425 Market Street San Francisco, CA 94105	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____
<b><u>On Behalf of Respondent MTD Products, Inc.:</u></b>	
Kathryn L. Clune, Esq. <b>CROWELL &amp; MORING LLP</b> 1001 Pennsylvania Avenue, NW Washington, DC 20004-2595	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____

**CERTAIN CARBURETORS AND PRODUCTS  
CONTAINING SUCH CARBURETORS**

**Inv. No. 337-TA-1123**

Certificate of Service – Page 2

<p><b><u>On Behalf of Respondents Techtronic Industries Co. Ltd. d/b/a Techtronic Industries Power Equipment and The Home Depot Inc.:</u></b></p>	
<p>Sean C. Cunningham, Esq. <b>DLA PIPER LLP (US)</b> 401 B Street, Suite 1700 San Diego, California 92101</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p><b><u>On Behalf of Respondents Kmart Corporation and Sears, Roebuck and Company:</u></b></p>	
<p>Eric S. Namrow, Esq. <b>MORGAN, LEWIS &amp; BOCKIUS LLP</b> 1111 Pennsylvania Avenue, NW Washington, DC 20004-2541</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p><b><u>On Behalf of Respondent Ardisam, Inc.:</u></b></p>	
<p>James B. Coughlan, Esq. <b>PERKINS COIE LLP</b> 700 Thirteenth Street, NW, Suite 600 Washington, DC 20005-3930</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p><b><u>On Behalf of Respondent Zhejiang Ruixing Carburetor Manufacturing Co., Ltd.:</u></b></p>	
<p>P. Andrew Riley, Esq. <b>MEI &amp; MARK LLP</b> 818 18<sup>th</sup> Street, NW, Suite 410 Washington, DC 20006</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p><b><u>On Behalf of Respondent Generac Power Systems, Inc.:</u></b></p>	
<p>Steven M. Auvil, Esq. <b>SQUARE PATTON BOGGS (US) LLP</b> 4900 Key Tower, 127 Public Square Cleveland, Ohio 44114</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p><b><u>On Behalf of Respondent Champion Power Equipment, Inc.:</u></b></p>	
<p>Benjamin E. Maskell, Esq. <b>MASKELL LAW PLLC</b> 888 N. Quincy St. Suite 701 Arlington, VA 22203</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>

**CERTAIN CARBURETORS AND PRODUCTS  
CONTAINING SUCH CARBURETORS**

**Inv. No. 337-TA-1123**

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<p><b><u>On Behalf of Respondents Buffalo Corporation and Target Corporation:</u></b></p>	
<p>Marc W. Vander Tuig, Esq. <b>ARMSTRONG TEASDALE</b> 7700 Forsyth Blvd., Suite 1800 St. Louis, MO 63105</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p><b><u>On Behalf of Respondent Walmart Inc.:</u></b></p>	
<p>Rett Snotherly, Esq. <b>LEVI &amp; SNOTHERLY, PLLC</b> 1101 Connecticut Avenue, NW, Suite 450 Washington, DC 20036</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p><b><u>On Behalf of Respondent Thunderbay Products:</u></b></p>	
<p>P. Andrew Riley, Esq. <b>MEI &amp; MARK LLP</b> 818 18<sup>th</sup> Street NW, Suite 410 Washington, DC 20006</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p><b><u>On Behalf of Respondent Amerisun, Inc.:</u></b></p>	
<p>Adam D. Swain, Esq. <b>ALSTON &amp; BIRD LLP</b> 950 F Street NW Washington, DC 20004</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p><b><u>On Behalf of Respondent Cabela's Inc. &amp; Fujian Hualong Carburetor Co., Ltd.:</u></b></p>	
<p>Kecia J. Reynolds, Esq. <b>PHILLSBURY WINTHROP SHAW PITTMAN LLP</b> 1200 Seventeenth St., NW Washington, DC 20036</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p><b><u>On Behalf of Respondent Tractor Supply Company:</u></b></p>	
<p>Daniel E. Yonan, Esq. <b>STERNE, KESSLER, GOLDSTEIN &amp; FOX P.L.L.C.</b> 1100 New York Avenue, NW Washington, DC 20005</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>

**CERTAIN CARBURETORS AND PRODUCTS  
CONTAINING SUCH CARBURETORS**

Inv. No. 337-TA-1123

Certificate of Service – Page 4

<p><b><u>On Behalf of Respondent Northern Tool &amp; Equipment Co., Inc.:</u></b></p>	
<p>Tyler P. Brimmer, Esq. <b>FAFINSKI MARK &amp; JOHNSON, P.A</b> 775 Prairie Center Drive, Suite 400 Eden Prairie, MN 55344</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p><b><u>On Behalf of Respondent Menards, Inc.:</u></b></p>	
<p>Jeffrey L. Eichen, Esq. <b>DRINKER BIDDLE &amp; REATH LLP</b> 222 Delaware Avenue, Suite 1410 Wilmington, DE 19801</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p><b><u>On Behalf of Respondent Frictionless World, LLC:</u></b></p>	
<p>Michael L. Doane, Esq. <b>ADDUCI, MASTRIANI &amp; SCHAUMBERG, LLP</b> 842 w. South Boulder Road, Suite 100 Washington, DC 20036</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p><b><u>On Behalf of Respondent FNA Group, Inc. and MAT Industries, LLC:</u></b></p>	
<p>Paul M. Bartkowski, Esq. <b>ADDUCI, MASTRIANI &amp; SCHAUMBERG, LLP</b> 1133 Connecticut Avenue, NW, 12<sup>th</sup> Floor Washington, DC 20036</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p><b><u>On Behalf of Respondent QV Tools Limited Company:</u></b></p>	
<p>Mark D. Schneider, Esq. <b>DINSMORE &amp; SHOHL</b> 900 Wilshire Drive, Suite 300 Troy, Michigan 48084</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p><b><u>On Behalf of Respondent Huayi Carburetor Factory:</u></b></p>	
<p>Jordan L. Coyle, Esq. <b>ORRICK HERRINGTON &amp; SUTCLIFFE, LLP</b> Columbia Center 1152 15<sup>th</sup> Street, NW Washington, DC 20005</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>



**CERTAIN CARBURETORS AND PRODUCTS  
CONTAINING SUCH CARBURETORS**

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<p>Funding Guangda General Machinery Co., Ltd. Tietang Industrial Distict, Fuding City, Fujian Province, 355200 China</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First-Class Mail <input type="checkbox"/> Other: _____</p>
<p>Wuyi Henghai Tools Co., Ltd. Baihuashan Industrial Zone Wuyi 321200, Jinhua, Zhejiang China</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p>Fuding Youyi Trade Co., Ltd. No. 176, Yuhu Community, Taimushan Town, Fuding, Ningde, Fujian, 355203 China</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p>Feldmann Eng. &amp; Mfg. Co., Inc. 520 Forest Avenue Sheboygan Falls, WI 53085</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p>Imperial Industrial Supply Co. d/b/a Duromax Power Equipment 5800 Ontario Mills Parkway Ontario, CA 91764</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p>North American Tool Industries 78 Commercial Road Huntington, IN 48750</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p>Tool Tuff Direct LLC 15000 W. 44<sup>th</sup> Avenue Suite B. Golden, CO 80403</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>
<p>Tillotson Clash Industrial Estate Tralee, Co. Kerry Ireland</p>	<p><input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____</p>