

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN ELECTRIC SHAVERS AND
COMPONENTS AND ACCESSORIES
THEREOF**

Inv. No. 337-TA-1230

**ORDER NO. 33: INITIAL DETERMINATION GRANTING-IN-PART
COMPLAINANT SKULL SHAVER, LLC'S MOTION FOR
SUMMARY DETERMINATION ON VIOLATIONS BY THE
DEFAULTING RESPONDENTS, AND RECOMMENDED
DETERMINATION ON REMEDY AND BONDING**

(November 18, 2021)

I. INTRODUCTION

On May 26, 2021, pursuant to Commission Rule 210.18, Complainant Skull Shaver, LLC (“Skull Shaver”) filed a motion for summary determination (“MSD”) together with a memorandum of law in support thereof (“Mem.”) that the Defaulting Defendants¹ have violated Section 337 of the Tariff Act of 1930, as amended, through the importation into the United States, sale for importation into the United States, and/or sale within the United States after importation of certain electronic shavers and components thereof that infringe certain claims of the asserted patents, that is U.S. Patent No. 8,726,528 (“the ’528 patent”) and U.S. Design Patent No. D672,504 (“the ’504 patent” and with the ’528 patent, “the Asserted Patents.”).² (*See* 19

¹ Skull Shaver’s MSD refers to these respondents as the “Non-Responding Respondents.” *See* MSD at 2. However, to date, all of those Non-Responding Respondents have been found in default. The Defaulting Respondents are: (1) Suzhou Kaidiya Garments Trading Co., Ltd.; (2) Yiwu City Qiaoyu Trading Co., Ltd.; (3) Wenzhou Wending Electric Appliance Co., Ltd.; (4) Shenzhen Aiweilai Trading Co., Ltd.; (5) Shenzhen Junmao International Technology Co., Ltd.; (6) Shenzhen Wantong Information Technology Co., Ltd.; (7) Yiwu Xingye Network Technology Co., Ltd.; and (8) Bald Shaver Inc.

² Skull Shaver certified under Ground Rule 2.2 that it notified Shenzhen Nukun Technology Co., Ltd., Benepuri LLC, and Commission Investigative Staff (“Staff”) at least two (2) days before it filed its MSD.

U.S.C. § 1337; Motion Docket No. 1230-021 (May 26, 2021); Mem. at 14, 16-17, 19-21.).

Pursuant to Ground Rule 2.4, Skull Shaver also submitted as part of its MSD “Complainant Skull Shaver, LLC’s Statement of The Material Facts In Support of its Motion for Summary Determination” (“SMF”).

Skull Shaver seeks a summary determination that it satisfies the technical and economic prongs of the domestic industry requirement. Additionally, Skull Shaver seeks a recommended determination that the Commission issue a limited exclusion order (“LEO”) as to each Defaulting Respondent, and a cease and desist order (“CDO”) as to each Defaulting Respondent except Bald Shaver. Skull Shaver also seeks a general exclusion order (“GEO”) pursuant to 19 U.S.C. § 1337(d)(2). Skull Shaver requests that a bond be set at 161% during the Presidential review period. (Mem. at 1, 60.).

On September 26, 2018, Staff filed its response to Skull Shaver’s MSD in which it supports Skull Shaver’s motion as to Respondents Yiwu Xingye and Yiwu City. (*See* Commission Investigative Staff’s Response to Complainant’s Motion for Summary Determination of Violation of Section 337 (“Staff Resp.”); Doc. ID No. 744100; Staff Resp. at 1, 6-9.). In addition, Staff supports Skull Shaver’s MSD as to the economic prong of the domestic industry requirement under section (B) and supports Skull Shaver’s request for remedy. (*Id.* at 14-22.). In contrast to Skull Shaver, Staff advocates for a 100% bond. (*Id.* at 23.).

II. SUMMARY FINDINGS AND RECOMMENDATION

Consistent with 19 C.F.R. § 210.42, this decision is issued as an Initial Determination on

(MSD at 1-2.). While Shenzhen Nukun Technology Co., Ltd. and Benepuri LLC indicated that they did not oppose the motion, both have since been terminated from the investigation. (*Id.*). Staff indicated that it would take a position after reviewing the MSD. (*Id.*).

Violation and a Recommendation on Remedy and Bond.

For the reasons described in this decision, Skull Shaver's MSD is *granted-in-part* because there are no material disputes of fact and Skull Shaver is entitled to a judgment as a matter of law as to certain issues. The recommended findings of this decision have been adapted from or adopted from Skull Shaver's SMF, in addition to other findings of fact or rulings of law as follows:

1. Skull Shaver is a U.S. corporation organized under the laws of the state of New Jersey, with its principal place of business located at Moorestown, New Jersey. (SMF No. 36.).
2. Skull Shaver is the owner by assignment of all right, title, and interest in the Asserted Patents. (Compl. at ¶¶ 43, 46.).
3. The Asserted Patents are valid and enforceable. (Compl. at ¶¶ 43, 46.).
4. Skull Shaver has proven under Section 337(a)(1)(B)(i) that each of the Defaulting Respondents has imported, sold for importation, or sold within the United States after importation, at least one item each of an infringing product or article. (SMF Nos. 11-14.).
5. Skull Shaver has satisfied the requirements for subject matter jurisdiction because Skull Shaver filed a complaint alleging that the Defaulting Respondents violated 19 U.S.C. § 1337(a)(1)(B). *See Amgen, Inc. v. U. S. Int'l Trade Comm'n*, 902 F.2d 1532, 1536 (Fed. Cir. 1990).
6. Personal jurisdiction is not required so long as the products are being imported. *See Sealed Air Corp. v. U.S. Int'l Trade Comm'n*, 645 F.2d 976, 985-89 (C.C.P.A. 1981). Skull Shaver has proven that the Defaulting Respondents' Accused Products³ have been imported into the United States. (SMF Nos. 11-14.).

³ The following chart lists the Defaulting Respondents' Accused Products:

Respondent	Accused Product
Bald Shaver	LK-1800 Shaver
Suzhou Kaidiya	Kibiy Bald Head Shaver LED Mens Electric Shaving Razor by Digimotor
Shenzhen Aiweilai	Teamyo 5D Floating Deep Clean Head Shaver for Bald Men

Furthermore, by defaulting, the Defaulting Respondents have waived their right to contest that *in personam* jurisdiction exists. *See Certain Protective Cases & Components Thereof*, Inv. No. 337-TA-780, Initial Determination at 46 (June 29, 2012).

7. Skull Shaver has satisfied the requirements for *in rem* jurisdiction pursuant to Section 337(a)(1)(B) which applies to the “[t]he importation into the United States, the sale for importation, or the sale within the United States after importation . . . of articles that infringe a valid and enforceable United States patent,” because Skull Shaver has proven that the Defaulting Respondents’ Accused Products have been imported into the United States. (SMF Nos. 11-14.).
8. Skull Shaver has proven infringement of the ’528 patent and the ’504 patent by Respondents Yiwu Xingye and Yiwu City, by a preponderance of the evidence. (SMF No. 17.).
9. Skull Shaver has proven that Respondents Yiwu Xingye and Yiwu City’s Accused Products directly infringe claims 1-3 of the ’528 patent and the ’504 patent. (SMF Nos. 18-20, 25-32.).
10. Skull Shaver has proven that at least one of its Domestic Industry Products (“DI Products”)⁴ practice the ’504 patent and at least one claim of the ’528 patent. (SMF Nos. 9-10, 23-24, 34-35.).
11. Skull Shaver has proven that it satisfies the technical prong of the domestic industry requirement. (SMF Nos. 23-24, 34-35.).
12. Skull Shaver has proven that it satisfies the economic prong of the domestic industry requirement under 19 U.S.C. § 1337(a)(3)(B). (SMF Nos. 42-44, 52-67.).

Wenzhou Wending	PaiTree 5 in 1 Head and Face Electric Rotary Shaver
Yiwu Xingye	Roziapro Electric Razor for Men 6 in 1 Bald Head Shaver
Yiwu City	Surker 6 in 1 Electric Shavers for Men Bald Head
Shenzhen Wantong	Electric Razor Grooming Kit for Men 4 in 1 Dry Wet Waterproof Rotary Bald Head Shaver by WTONG
Shenzhen Junmao	Homeasy Men Electric Razor Bald Head Shaver

(*See Mem.* at 5.).

⁴ Skull Shaver’s DI Products are the Pitbull Platinum PRO, Pitbull Gold PRO, Pitbull Silver PRO, Butterfly II Smart, Butterfly Kiss PRO, Butterfly Kiss, Bald Eagle, Trinity, and Palm. (*See Mem.* at 5; Hatch Decl., Ex. H at ¶¶ 222, 225.).

13. There is a widespread pattern of unauthorized use of the Asserted Patents such that a General Exclusion Order (“GEO”) is necessary to prevent circumvention of the relief granted in this case. (*See* SMF Nos. 81-117.).
14. Because complete pricing information is not available in this Investigation, the recommendation of this decision is a bond rate of 100%.

III. BACKGROUND

A. Procedural History

Skull Shaver filed its complaint on October 13, 2020 (“Complaint”), alleging a violation of Section 337 based on the importation, sale for importation, and/or sale within the United States after importation of certain electric shavers and components and accessories thereof that infringe one or more of (i) claims 1-3 of the ’528 patent, and (ii) the sole claim of the ’504 patent. (*See* 85 Fed. Reg. 73510-511 (Nov. 18, 2020) (“Notice of Institution of Investigation”); Compl. at ¶ 3.).

On November 12, 2020, the Commission determined to institute this Investigation. *See* 85 Fed. Reg. 73510-511. Specifically, the Commission instituted this Investigation, 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 1-3 of the ’528 patent and the claim of the ’504 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337[.]

See id.; 19 C.F.R. § 210.10(b).

The Notice of Institution of Investigation (“NOI”) identified eleven (11) Respondents: (1) Rayenbarny Inc. (“Rayenbarny”); (2) Bald Shaver Inc. (“Bald Shaver”); (3) Suzhou Kaidiya Garments Trading Co., Ltd. (“Suzhou Kaidiya”); (4) Shenzhen Aiweilai Trading Co., Ltd.

(“Shenzhen Aiweilai”); (5) Wenzhou Wending Electric Appliance Co., Ltd. (“Wenzhou Wending”); (6) Shenzhen Nukun Technology Co., Ltd. (“Nukun”); (7) Yiwu Xingye Network Technology Co., Ltd. (“Yiwu Xingye”); (8) Magicfly LLC (“Magicfly”); (9) Yiwu City Qiaoyu Trading Co., Ltd. (“Yiwu City”); (10) Shenzhen Wantong Information Technology Co., Ltd. (“Shenzhen Wantong”); and (11) Shenzhen Junmao International Technology Co., Ltd. (“Shenzhen Junmao”). *See* 85 Fed. Reg. 73510-511 (Nov. 18, 2020). The Commission also named Staff as a party. On December 16, 2020, Skull Shaver filed its Proof of Service of the Complaint and NOI. (*See* Doc. ID No. 728170).

On November 18, 2020, Benepuri LLC (“Benepuri”) filed a motion to intervene and to terminate Respondent Rayenbarny from the investigation. (*See* Motion Docket No. 1230-001 (Nov. 18, 2020).). This motion was granted on November 30, 2020. (*See* Order No. 4 (Nov. 30, 2020).). On December 15, 2020, the Commission named Benepuri as a respondent and terminated the Investigation with respect to Rayenbarny. (*See* Notice of a Commission Determination Not to Review an Initial Determination Granting a Motion for Benepuri LLC to Intervene and to Terminate Respondent Rayenbarny for Good Cause (Dec. 15, 2020).).

On January 5, 2021, Benepuri filed a response to the Complaint and NOI. (*See* Doc. ID No. 729582.). On April 13, 2021, Benepuri filed a motion for summary determination of no violation and a motion to stay pending a ruling on that motion. (*See* Motion Docket Nos. 1230-012, 1230-013). Benepuri’s motion to stay was denied without prejudice on April 15, 2021. (*See* Order No. 18 (Apr. 15, 2021).). On May 3, 2021, Skull Shaver filed a Motion to Terminate the Investigation as to Respondent Benepuri LLC on the Basis of Withdrawal of the Complaint. (*See* Motion Docket No. 1230-017). That motion was denied without prejudice on June 7, 2021. (*See* Order No. 27 (June 7, 2021).). That Order also directed the parties to submit additional briefing

on the effects of terminating Benepuri from the Investigation. (*Id.* at 4.). Skull Shaver's motion to terminate the Investigation as to Benepuri was then granted on October 4, 2021. (*See* Order No. 31 (Oct. 4, 2021).). On October 28, 2021, the Commission terminated the Investigation with respect to Benepuri. (*See* Doc. ID No. 755379, Notice of a Commission Determination Not to Review an Initial Determination Granting an Unopposed Motion to Terminate the Investigation as to Benepuri LLC Based Upon Withdrawal of the Complaint (Oct. 28, 2021).).

On December 7, 2020, Nukun filed a response to the Complaint and NOI. (*See* Doc. ID No. 727409 (Dec. 7, 2020).). Skull Shaver and Nukun filed a Joint Stipulation Regarding Respondent Shenzhen Nukun Technology Co., Ltd.'s Participation In Investigation on December 30, 2020. (*See* Doc. ID No. 729242.). On March 29, 2021, Nukun filed a motion to stay the procedural schedule as to itself. (*See* Motion Docket No. 1230-011 (Mar. 29, 2021).). That motion was denied without prejudice. (*See* Order No. 16 (Apr. 8, 2021).). On April 28, 2021, Skull Shaver filed a Motion to Terminate the Investigation as to Respondent Shenzhen Nukun Technology Co., Ltd. on the Basis of Withdrawal of the Complaint. (*See* Motion Docket No. 1230-015). That motion was granted on May 21, 2021. (*See* Order No. 26 (May 21, 2021).). On June 21, 2021, the Commission terminated the Investigation with respect to Nukun. (*See* Notice of a Commission Determination Not to Review an Initial Determination Granting an Unopposed Motion to Terminate the Investigation as to Shenzhen Nukun Technology Co., Ltd. Based Upon Withdrawal of the Complaint (June 21, 2021).).

On December 15, 2020, Skull Shaver filed a motion for an order to show cause and for entry of default as to the following Respondents: Suzhou Kaidiya; Magicfly; Yiwu City; and Wenzhou Wending. (*See* Motion Docket No. 1230-002 (Dec. 15, 2020).). On December 30,

2020, an Order to Show Cause issued to those Respondents requesting that they explain why they should not be found to be in default. (*See* Order No. 6 (Dec. 30, 2020)).

On January 13, 2021, Magicfly filed a response to the Show Cause order asserting that it should not be found in default. (*See* Doc. ID No. 730454.). On February 1, 2021, Magicfly filed a response to the Complaint and NOI. (*See* Doc. ID No. 732620.). Skull Shaver and Magicfly filed a Joint Motion to Suspend the Procedural Schedule as to Respondent Magicfly LLC on March 1, 2021. (*See* Motion Docket No. 1230-008 (Mar. 1, 2021)). That motion was granted on March 3, 2021. (*See* Order No. 12 (Mar. 3, 2021)). On April 21, 2021, Skull Shaver and Magicfly filed a Joint Motion to Terminate the Investigation as to Respondent Magicfly LLC on the Basis of Settlement. (*See* Motion Docket No. 1230-014). That motion was granted on May 3, 2021. (*See* Order No. 22 (May 3, 2021)). On May 19, 2021, the Commission terminated the Investigation with respect to Magicfly. (*See* Notice of a Commission Determination Not to Review an Initial Determination Granting a Joint Motion to Terminate the Investigation as to Magicfly Based Upon Settlement (May 19, 2021)).

On January 27, 2021, Skull Shaver filed a motion for an order to show cause and for entry of default as to the following Respondents: Shenzhen Aiweilai; Shenzhen Junmao; Shenzhen Wantong; and Yiwu Xingye. (*See* Motion Docket No. 1230-003 (Jan. 27, 2021)). On February 12, 2021, an Order to Show Cause issued to those Respondents requesting that they explain why they should not be found to be in default. (*See* Order No. 7 (Feb. 12, 2021)).

On February 5, 2021, Skull Shaver filed a motion to amend the Complaint and NOI “to correct the names and addresses of certain Respondents, and to modify the names of certain Respondents for purposes of clarity.” (*See* Motion Docket No. 1230-005 (Feb. 5, 2021)). That motion was granted on February 12, 2021. (*See* Order No. 8 (Feb. 12, 2021)). On February 12,

2021, the Commission determined not to review that initial determination. (*See* Notice of A Commission Determination Not to Review an Initial Determination Granting a Motion to Amend the Complaint and Notice of Investigation (Feb. 12, 2021).).

On March 17, 2021, Skull Shaver submitted a letter to the administrative law judge (“ALJ”) indicating that it inadvertently did not serve Order Nos. 6 and 7 on the relevant Respondents. (*See* Doc ID No. 737360). On March 23, 2021, Order No. 14 issued ordering Skull Shaver to supplement its motions for an order to show cause. (*See* Order No. 14 (Mar. 23, 2021).). On March 25, 2021, Skull Shaver supplemented Motion Docket Nos. 1230-002 and 1230-003. (*See* Doc ID Nos. 738060, 738063, 738061.). On May 10, 2021, Respondents Suzhou Kaidiya, Yiwu City, Wenzhou Wending, Shenzhen Aiweilai, Shenzhen Junmao, Shenzhen Wantong, and Yiwu Xingye were found to be in default. (*See* Order No. 23 (May 10, 2021).). On May 21, 2021, the Commission determined that Suzhou Kaidiya, Yiwu City, Wenzhou Wending, Shenzhen Aiweilai, Shenzhen Junmao, Shenzhen Wantong, and Yiwu Xingye are in default. (*See* Notice of a Commission Determination Not to Review an Initial Determination Finding Certain Respondents in Default (May 21, 2021).).

On May 19, 2021, Skull Shaver filed a motion for an order to show cause and for entry of default as to Bald Shaver. (*See* Motion Docket No. 1230-019 (May 19, 2021).). That motion was granted on September 1, 2021. (*See* Order No. 28 (Sept. 1, 2021); *see also* Doc. ID No. 750920, Corrected Order No. 28 (Sept. 3, 2021).). On November 18, 2021, Respondent Bald Shaver was found to be in default. (Order No. 32 (Nov. 18, 2021).).

A *Markman* hearing was held on March 3, 2021. (*See* Order No. 9 (Feb. 16, 2021); *Markman* Hearing Transcript, Doc. ID No. 735946 (Mar. 4, 2021).). On April 26, 2021, the

Markman Order issued construing certain terms in the Asserted Patents. (*See* Order No. 20 (Apr. 26, 2021).).

There are no remaining participating Respondents in this Investigation. In addition, none of the Defaulting Respondents have contested Skull Shaver's allegations that they have violated and section 337.

B. The Parties

1. Complainant

Complainant Skull Shaver is a limited liability company organized and existing under the laws of the State of New Jersey, with its corporate headquarters and warehousing facilities in New Jersey. (Compl. at ¶¶ 9, 12.). It was founded in 2010 and its electric shavers were first offered for sale through Amazon.com in 2012. (*Id.* at ¶ 10.). Skull Shaver designs, develops, and supports a variety of electric shaver and grooming products, including men's shavers, women's shavers, and hair clippers, as well as replacement shaver blades, trimmer and shaver attachments, electronic shaver chargers and adaptors, and additional shaving accessories. (*Id.* at ¶ 11.). Skull Shaver is the owner by assignment of all right, title, and interest in the Asserted Patents. (*Id.* at ¶ 43, 46.).

2. The Defaulting Respondents

Respondent Suzhou Kaidiya is a Chinese corporation with its principal place of business in Suzhou City, Jiangsu Province, China. (Compl. at ¶ 21.). Suzhou Kaidiya manufactures and markets electric shavers, including the Kibiy Bald Head Shaver LED Mens Electric Shaving Razor by Digimator. (*Id.* at ¶ 22.). Suzhou Kaidiya then sells for importation into the U.S., and/or sells within the U.S. after importation those electric shavers. (*Id.* at ¶ 21.).

Respondent Yiwu City is a Chinese corporation with its principal place of business in Yiwu City, Zhejiang Province, China. (Compl. at ¶ 33.). Yiwu City manufactures and markets electric shavers, including the Surker 6 in 1 Electric Shavers for Men Bald Head. (*Id.* at ¶ 34.). Yiwu City then sells for importation into the U.S., imports, and/or sells within the U.S. after importation those electric shavers. (*Id.* at ¶ 33.).

Respondent Wenzhou Wending is a Chinese corporation with its principal place of business in Yueqing City, Zhejiang Province, China. (Compl. at ¶ 25.). Wenzhou Wending manufactures and markets electric shavers, including the PaiTree 5 in 1 Head and Face Electric Rotary Shaver. (*Id.* at ¶ 26.). Wenzhou Wending then sells for importation into the U.S., imports, and/or sells within the U.S. after importation those electric shavers. (*Id.* at ¶ 25.).

Respondent Shenzhen Aiweilai is a Chinese corporation with its principal place of business in Shenzhen City, Guangdong Province, China. (Compl. at ¶ 23.). Shenzhen Aiweilai manufactures and markets electric shavers, including the Teamyo 5D Floating Deep Clean Head Shaver for Bald Men. (*Id.* at ¶ 24.). Shenzhen Aiweilai then sells for importation into the U.S., and/or sells within the U.S. after importation those electric shavers. (*Id.* at ¶ 23.).

Respondent Shenzhen Junmao is a Chinese corporation with its principal place of business in Shenzhen City, Guangdong Province, China. (Compl. at ¶ 37.). Shenzhen Junmao manufactures and markets electric shavers, including the Homeasy Men Electric Razor Bald Head Shaver. (*Id.* at ¶ 38.). Shenzhen Junmao then sells for importation into the U.S., imports, and/or sells within the U.S. after importation those electric shavers. (*Id.* at ¶ 37.).

Respondent Shenzhen Wantong is a Chinese corporation with its principal place of business in Shenzhen City, Guangdong Province, China. (Compl. at ¶ 35.). Shenzhen Wantong manufactures and markets electric shavers, including the Electric Razor Grooming Kit for Men 4

in 1 Dry Wet Waterproof Rotary Bald Head Shaver by WTONG. (*Id.* at ¶ 36.). Shenzhen Wantong then sells for importation into the U.S., imports, and/or sells within the U.S. after importation those electric shavers. (*Id.* at ¶ 35.).

Respondent Yiwu Xingye is a Chinese corporation with its principal place of business in Yiwu City, Zhejiang Province, China. (Compl. at ¶ 29.). Yiwu Xingye manufactures and markets electric shavers, including the Roziapro Electric Razor for Men 6 in 1 Bald Head Shaver. (*Id.* at ¶ 30.). Yiwu Xingye then sells for importation into the U.S., imports, and/or sells within the U.S. after importation those electric shavers. (*Id.* at ¶ 29.).

Respondent Bald Shaver is a Canadian corporation with its principal place of business in Ontario, Canada. (Compl. at ¶ 19.). Bald Shaver manufactures and markets electric shavers, including the LK-1800. (*Id.* at ¶ 20.). Bald Shaver then sells for importation into the U.S., imports, and/or sells within the U.S. after importation those electric shavers. (*Id.* at ¶ 19.).

IV. OVERVIEW OF THE TECHNOLOGY AND THE PATENTS AT ISSUE

A. The Asserted Patents

The '528 patent, entitled “Electric Head Shaver” issued on May 20, 2014 and names John Lyles as the inventor. (*See* Compl. at ¶ 43; *see also* '528 patent.). The '528 patent “generally describes an electric shaver for shaving hair on curved parts of the body.” (Compl. at ¶ 50; *see also* '528 patent at 1:5-7.). The patent has three claims; claims 1-3 are at issue for purposes of Skull Shaver’s MSD. (Mem. at 5.). The asserted claims read as follows:

1. An electric shaver comprising:

a housing for containing an electrical source and drive-related components, said housing having a length and a width, and including two substantially opposed and substantially parallel sides along said length, said housing further including a bottom;

a cutter mechanism located beneath said bottom of said housing and spaced therefrom;

a central hub extending from said bottom of said housing to said cutter mechanism and connecting said cutter mechanism to said housing;

said cutter mechanism including a cutting surface defining a plane; a first pair of elongated recesses formed on said sides of said housing, said first pair of elongated recesses being substantially parallel to each other and lying in a plane that is spaced apart from but parallel to the plane of said cutting surface, and

a second set of elongated spaced apart recesses formed in said bottom of said housing along said width entirely, and extending upwardly into said bottom, said recesses of said second set being located on opposite sides of said hub and extending perpendicular to said first pair of recesses.

2. The electric shaver as claimed in claim 1 wherein each of said recesses is defined by a concave surface adapted to accommodate a portion of a user's fingers therein.
3. An electric shaver comprising:

a housing for containing an electrical source and drive-related components, said housing having a length and a width, and including two substantially opposed and substantially parallel sides along said length, said housing further including a bottom surface, and a bottom surface, said bottom surface defining a first plane; a cutter mechanism located beneath said bottom surface of said housing and spaced therefrom;

a central hub extending from said bottom surface of said housing to said cutter mechanism and connecting said cutter mechanism to said housing;

said cutter mechanism including a cutting surface defining a second plane, said second plane being parallel to but spaced from said first plane;

a first pair of elongated recesses formed on said sides of said housing, said first pair of elongated recesses being substantially parallel to each other and lying in a third plane that is spaced apart from but parallel to said first and second planes;

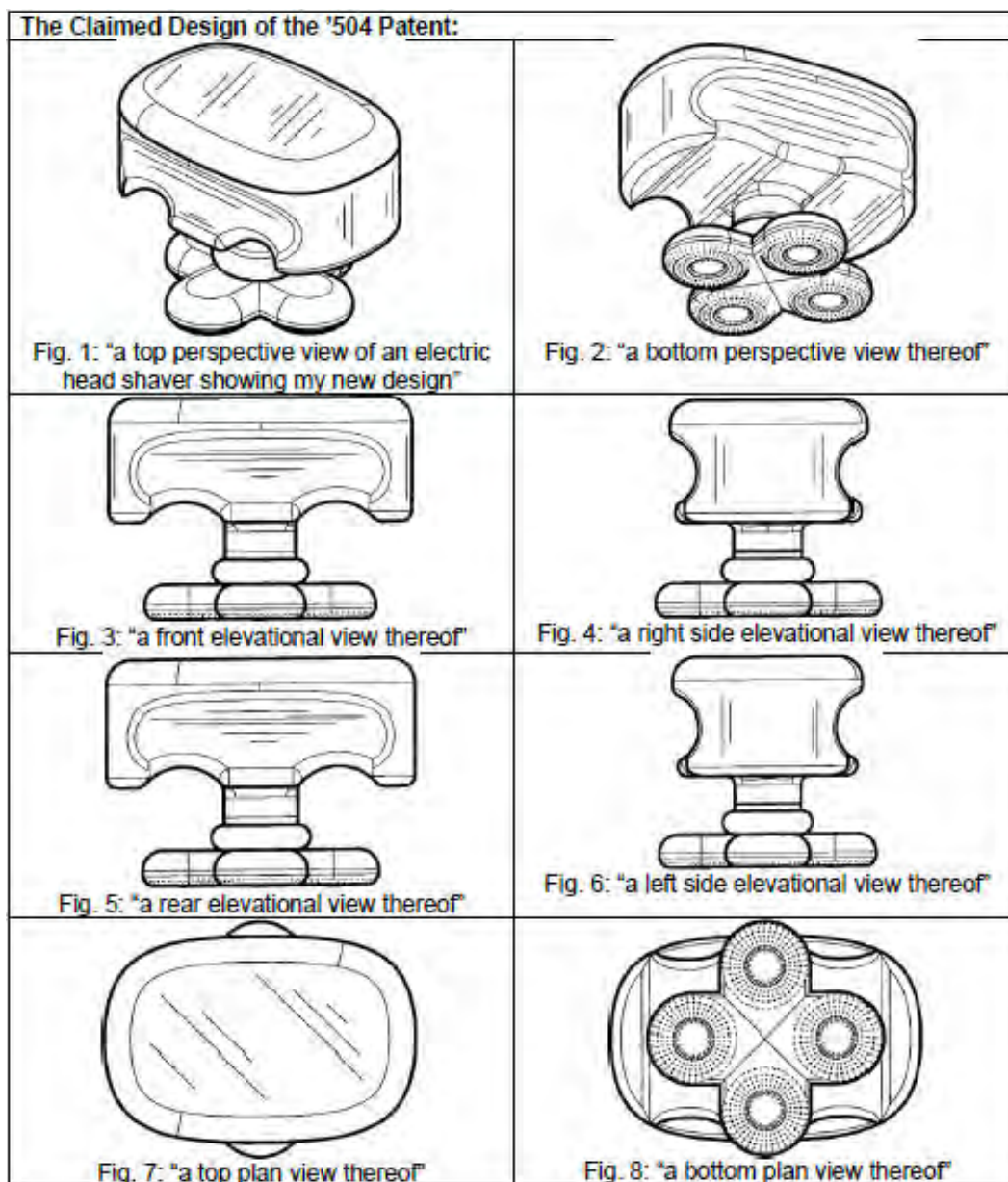
a second set of elongated spaced apart recesses formed in said bottom surface of said housing along said width entirely, and extending upwardly into said bottom surface, said recesses of said second set being located on opposite sides of said hub and extending perpendicular to said first pair of recesses, and

wherein each of said recesses is defined by a concave surface adapted to accommodate a portion of a user's fingers therein.

('528 patent at cls. 1-3.).

The '504 patent, entitled "Electric Head Shaver" issued on December 11, 2012 and names John Lyles as the inventor. (*See* Compl. at ¶ 46; *see also* '504 patent.). The '504 patent is a design patent that "claims and depicts an electric head shaver incorporating a flat top as well as recesses." (*See* Compl. at ¶¶ 53-54; *see also* '504 patent.). Depicted below is an excerpt from an appendix to the declaration of Skull Shaver's technical expert, Mr. Paul Hatch,⁵ ("Hatch Declaration") showing the figures of the '504 patent.

⁵ Skull Shaver retained Mr. Paul Hatch as an expert to provide opinions regarding infringement of the Asserted Patents and validity of the '528 patent. (*See* Hatch Decl. at ¶ 2.).



(See Hatch Decl., Ex. H at ¶ 65.).

B. Claim Construction for the '528 Patent

As shown below, Appendix A of the *Markman* Order construed the disputed claim terms of the '528 patent. (Order No. 20, App. A.).

Claim Term	Adopted Construction
“substantially parallel” (Claims 1, 3)	Plain and ordinary meaning, which is extending in the same direction generally (Order No. 20, App. A at 1-6)
“plane” (Claims 1, 3)	A flat or level surface (Order No. 20, App. A at 6-10)
“recesses” (Claims 1-3)	Indentations that are substantially concave surfaces (Order No. 20, App. A at 10-23)

The *Markman* Order also adopted Staff’s proposed definition for a person of ordinary skill in the art, which is:

that one of ordinary skill in the art is a person (for example, a barber) who, either through educational or industry and experience, is knowledgeable about hand-held consumer electronics for personal grooming. Additionally, the person, through training and/or experience, also has knowledge about ergonomics and how to design such electronics for grip comfort, convenience, and control.

(Order No. 20 at 13-14.).

V. SUMMARY DETERMINATION ON VIOLATION AND IMPORTATION

A. Legal Standards

Summary determination under Commission Rule 210.18 is analogous to summary judgement under Federal Rule of Civil Procedure 56, and may be granted only where the evidence shows “that there is no genuine issue as to any material fact and that the moving party is entitled to summary determination as a matter of law.” *See* 19 C.F.R. § 210.18(b). “Any party may move with any necessary supporting affidavits for a summary determination in [its] favor upon all or any part of the issues to be determined in the investigation.” 19 C.F.R. § 210.18(a). The party moving for summary determination bears the initial burden of establishing that there is an absence of a genuine issue of material fact and that it is entitled to judgment as a matter of

law. *Celotex Corp. v. Catrett*, 477 U.S. 317, 323 (1986). Summary determination should therefore be granted when a hearing on the matter at issue would serve no useful purpose and the movant is entitled to judgement as a matter of law. *See Certain Recombinant Erythropoietin*, Inv. No. 337-TA-281, U.S.I.T.C. Pub. No. 2186, I.D. at 70 (Jan. 10, 1989).

When the Commission finds respondents to be in default, just as the Commission have found Suzhou Kaidiya, Yiwu City, Wenzhou Wending, Shenzhen Aiweilai, Shenzhen Junmao, Shenzhen Wantong, Yiwu Xingye, and Bald Shaver to be in default in this Investigation, the facts alleged in the complaint will be presumed true with respect to those respondents. *See* 19 C.F.R. § 210.16(c); *see also Certain Opaque Polymers*, Inv. No. 337-TA-883, Comm’n Op. at 18-19 (Apr. 30, 2015). A finding of default can lead to a substantive finding of a Section 337 violation, and issuance of a general exclusion order. *See Certain Collapsible Sockets For Mobile Electronic Devices and Components Thereof*, Inv. No. 337-TA-1056, Comm’n Op. at 1-2 (July 9, 2018) (issuing general exclusion order against thirteen defaulting respondents); *Certain Arrowheads With Arcuate Blades and Components Thereof*, Inv. No. 337-TA-1033, Comm’n Op. at 2-3 (May 1, 2018) (issuing general exclusion order against five defaulting respondents); *Certain Mobile Device Holders and Components Thereof*, Inv. No. 337-TA-1028, Comm’n Op. at 3-6, 30 (Mar. 22, 2018) (issuing general exclusion order against twenty defaulting respondents).

B. Skull Shaver Has Proven That it is Entitled to Partial Summary Determination Because There Are No Material Disputed Facts and Skull Shaver Has Offered Affirmative Evidence of its Entitlement to Partial Summary Determination

In this case, it is undisputed that Defaulting Respondents Suzhou Kaidiya, Yiwu City, Wenzhou Wending, Shenzhen Aiweilai, Shenzhen Junmao, Shenzhen Wantong, Yiwu Xingye,

and Bald Shaver have each defaulted by failing to respond to the Complaint, and then by failing to respond to an Order to Show Cause. The Commission found Respondents Suzhou Kaidiya, Yiwu City, Wenzhou Wending, Shenzhen Aiweilai, Shenzhen Junmao, Shenzhen Wantong, Yiwu Xingye, and Bald Shaver to be in default. Accordingly, the facts alleged in the Complaint with respect to each of the Defaulting Respondents are presumed to be true. Skull Shaver has more than adequately supported with affirmative evidence: (1) its importation claims by each of the Defaulting Respondents; (2) its patent infringement claims as to Respondents Yiwu Xingye and Yiwu City; and (3) that it has satisfied the technical prong of the domestic industry requirement and the economic prong of the domestic industry requirement under section (B). Consequently, Skull Shaver is entitled to partial Summary Determination as a matter of law.

VI. VIOLATION OF SECTION 337(A)(1)(B) AND (A)(2)

To establish a violation of Section 337(a)(1)(B) and (a)(2), a complainant must prove: (1) the importation of goods into the United States, the sale for importation, or the sale within the United States after importation; (2) infringement of a valid and enforceable United States patent; and (3) a domestic industry in the United States. 19 U.S.C. §§ 1337(a)(1)(B), 1337(a)(2); *Alloc, Inc. v. Int’l Trade Comm’n*, 342 F.3d 1361, 1365 (Fed. Cir. 2003). As is reflected in each of the Sections below, Skull Shaver has proven that it has met each of the requirements of 19 U.S.C. § 1337(a)(1)(B) as to Respondents Yiwu Xingye and Yiwu City, as well as the requirements of 19 U.S.C. § 1337(a)(2).

VII. IMPORTATION

A. Legal Standard

A complainant “need only prove importation of a single accused product to satisfy the importation element.” *Certain Arrowheads With Arcuate Blades and Components Thereof*, Inv.

No. 337-TA-1033, Order No. 9, I.D. at 11 (Nov. 8, 2017) (citing *Certain Purple Protective Gloves*, Inv. No. 337-TA-500, Order No. 17 at 5 (Sept. 23, 2004) (unreviewed)); *Certain Trolley Wheel Assemblies*, Inv. No. 337-TA-161, U.S.I.T.C. Pub. No. 1605, Comm'n Action & Order at 7-8 (Aug. 29, 1984) (finding importation requirement satisfied by the importation of single trolley wheel assembly of no commercial value). The importation requirement can be established through a motion for summary determination. *Certain Mobile Commc'ns & Computer Devices & Components Thereof*, Inv. No. 337-TA-704, Order No. 48, I.D. at 3 (Oct. 5, 2010) (granting summary determination).

B. Skull Shaver Has Proven That Each of the Defaulting Respondents has Imported into the United States and Sold Within the United States at Least One Accused Product

As to Respondents Yiwu Xingye and Yiwu City, Skull Shaver has provided persuasive and conclusive evidence that each of those respondents has imported or offered for sale after importation into the United States at least one electric shaver that infringes the Asserted Patents. As discussed below, however, Skull Shaver has not met its burden to prove that Respondents Suzhou Kaidiya, Wenzhou Wending, Shenzhen Aiweilai, Shenzhen Junmao, Shenzhen Wantong, and Bald Shaver's Accused Products infringe the Asserted Patents. Nevertheless, as to those respondents, Skull Shaver has provided persuasive and conclusive evidence that each of those respondents has imported or offered for sale after importation into the United States at least one Accused Product. Skull Shaver's evidence is contained in Exhibits to the Complaint.

Skull Shaver has proven that it purchased sample products from each Defaulting Respondent in the U.S. For example, invoices indicate that the products sold by the Defaulting Respondents were purchased in the U.S. (*See* Mem. at 15; Compl. Exs. 10B (Bald Shaver), 10C (Suzhou Kaidiya), 10D (Shenzhen Aiweilai), 10E (Wenzhou Wending), 10G (Yiwu Xingye), 10I

(Yiwu City), 10J (Shenzhen Wantong), 10K (Shenzhen Junmao); SMF No. 13.). In addition, labels on product packaging for the Defaulting Respondents' Accused Products indicate that the electric shavers were manufactured in China. (*See* Mem. at 15; Compl. Exs. 14 (Bald Shaver), 15 (Suzhou Kaidiya), 16 (Shenzhen Aiweilai), 17 (Wenzhou Wending), 19 (Yiwu Xingye), 21 (Yiwu City), 22 (Shenzhen Wantong), 23 (Shenzhen Junmao); SMF No. 14.). The evidence therefore shows that these Defaulting Respondents have imported the Accused Products.

VII. INFRINGEMENT

A. Legal Standard

The '528 and '504 patents are valid and enforceable. *See* 35 U.S.C. § 282; *Certain Pumping Bras*, Inv. No. 337-TA-988, Order No. 11, I.D. at 6-7 (Oct. 31, 2016) (recognizing presumption of validity and, where no respondent participated in the investigation to raise a challenge to patent validity, finding the asserted patent valid and enforceable); *Certain Devices for Connecting Computers Via Tel. Lines*, Inv. No. 337-TA-360, U.S.I.T.C. Pub. 2843, I.D. at 2 (May 24, 1994) (explaining that a U.S. patent is presumed to be valid); *see also Certain Compact Multipurpose Tools*, Inv. No. 337-TA-416, U.S.I.T.C. Pub. No. 3239, Final I.D./R.D. at 7-8 (May 27, 1999) (finding that in the absence of a challenge to the validity of a patent, the presumption of validity is deemed conclusive).

Determination of infringement is a two-step process which consists of determining the scope of the asserted claim (claim construction) and then comparing the accused product . . . to the claim as construed.” *Certain Sucralose Sweeteners Containing Sucralose, and Related Intermediate Compounds Thereof*, Inv. No. 337-TA-604, Comm’n Op. at 36 (U.S.I.T.C., April 28, 2009) (citing *Litton Sys., Inc. v. Honeywell, Inc.*, 140 F.3 1449, 1454 (Fed Cir. 1998).).

An accused device literally infringes a patent claim if it contains each limitation recited in the claim exactly. *Litton*, 140 F.3d at 1454. Each patent claim element or limitation is considered material and essential. *London v. Carson Pirie Scott & Co.*, 946 F.2d 1534, 1538 (Fed. Cir. 1991). In a Section 337 investigation, the complainant bears the burden of proving infringement of the asserted patent claims by a preponderance of the evidence. *Enercon GmbH v. Int’l Trade Comm’n*, 151 F.3d 1376, 1384 (Fed. Cir. 1998). If any claim limitation is absent, there is no literal infringement of that claim as a matter of law. *Bayer AG v. Elan Pharm. Research Corp.*, 212 F.3d 1241, 1247 (Fed. Cir. 2000).

The test for determining infringement of a design patent is the “ordinary observer” test. *See Egyptian Goddess, Inc. v. Swisa, Inc.*, 543 F.3d 665, 678 (Fed. Cir. 2008) (*en banc*). In defining the “ordinary observer” test, the Supreme Court stated:

[I]f, in the eye of an ordinary observer, giving such attention as a purchaser usually gives, two designs are substantially the same, if the resemblance is such as to deceive such an observer, inducing him to purchase one supposing it to be the other, the first one patented is infringed by the other.

Gorham Mfg. Co. v. White, 81 U.S. 511, 528 (1871). Thus, “the test for design patent infringement is not identity, but rather sufficient similarity.” *Pacific Coast Marine Windshields, Ltd. v. Malibu Boats, LLC*, 739 F.3d 694, 701 (Fed. Cir. 2014); *see also L.A. Gear, Inc. v. Thom McAn Shoe Co.*, 988 F.2d 1117, 1125 (Fed. Cir. 1993) (design patent infringement requires determining “whether ‘the effect of the whole design [is] substantially the same.’”).

B. Respondents Yiwu Xingye and Yiwu City's Accused Products Literally Infringe the '528 Patent⁶




Skull Shaver has proven by a preponderance of the evidence that Respondents Yiwu Xingye and Yiwu City's Accused Products infringe claims 1-3 of the '528 patent. (*See* Mem. at 16-19.). To support its allegations of infringement, Skull Shaver submitted the Declaration of its technical expert, Mr. Paul Hatch, in which Mr. Hatch details his infringement opinions in claim charts based on his analysis of each of Yiwu Xingye and Yiwu City's Accused Products. (*See* Hatch Decl., Ex. H at Apps. A-12, A-13.). Mr. Hatch holds a Bachelor of Arts degree in Design for Industry from the University of Northumbria at Newcastle, United Kingdom. (*See id.*, Ex. H at ¶ 10.). He also has over 25 years of experience in product design and industrial design, including men's and women's shavers, grooming products, hair care appliances, and other household electronic products. (*See id.*, Ex. H at ¶ 8.). I find him to be an expert in hand-held consumer electronics for personal grooming. (*See id.*, Ex. H at ¶¶ 7-15; *Markman* Order at 13-14.).

Mr. Hatch examined samples of Yiwu Xingye and Yiwu City's Accused Products. (*See* Hatch Decl., Ex. H at ¶¶ 16-18.). Mr. Hatch also prepared detailed claim charts that demonstrate how each of Yiwu Xingye and Yiwu City's Accused Products meets each limitation of claims 1-3 of the '528 patent. (*See id.*, Ex. H at Apps. A-12, A-13.).

Below is evidence from Mr. Hatch's claim chart demonstrating that Yiwu Xingye's Accused Product meets the limitations of claim 1 of the '528 patent.

⁶ Although Skull Shaver's expert includes discussion of the doctrine of equivalents in his expert report, Skull Shaver fails to brief that issue in its motion and thus, any arguments to that effect are hereby waived. (*See* Ground Rule 10.1.).

Claim 1 of the '528 Patent	Respondent Yiwu Xingye's Accused Product
An electric shaver comprising:	<p>The Roziapro Electric Razor for Men 6 in 1 Bald Head Shaver ("Roziapro Shaver") is an electric shaver with an electric charging port.</p> 
<p>a housing for containing an electrical source and drive-related components, said housing having a length and a width, and including two substantially opposed and substantially parallel sides along said length, said housing further including a bottom;</p>	<p>The Roziapro Shaver comprises a housing for containing an electrical source and drive-related components, said housing having a length and a width, and including two substantially opposed and substantially parallel sides along said length, said housing further including a bottom. The Roziapro Shaver comprises substantially parallel sides along the length of the housing that are extending in the same direction generally.</p> 

Claim 1 of the '528 Patent	Respondent Yiwu Xingye's Accused Product
a cutter mechanism located beneath said bottom of said housing and spaced therefrom;	<p>The Roziapro Shaver comprises a cutter mechanism located beneath said bottom of said housing and spaced therefrom:</p> 
a central hub extending from said bottom of said housing to said cutter mechanism and connecting said cutter mechanism to said housing;	<p>The Roziapro Shaver comprises a central hub extending from said bottom of said housing to said cutter mechanism and connecting said cutter mechanism to said housing:</p> 
said cutter mechanism including a cutting surface defining a plane;	<p>The Roziapro Shaver cutter mechanism includes a cutting surface defining a plane, given that the cutter surface defines a flat or level surface.</p> 

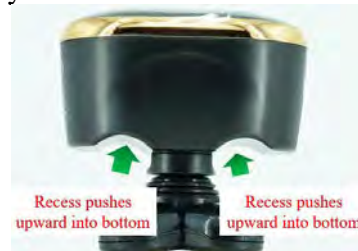
Claim 1 of the '528 Patent	Respondent Yiwu Xingye's Accused Product
<p>a first pair of elongated recesses formed on said sides of said housing, said first pair of elongated recesses being substantially parallel to each other and lying in a plane that is spaced apart from but parallel to the plane of said cutting surface, and</p>	<p>The Roziapro Shaver comprises a first pair of elongated recesses formed on said sides of said housing, said first pair of elongated recesses being substantially parallel to each other and lying in a plane that is spaced apart from but parallel to the plane of said cutting surface.</p> <p>The Roziapro Shaver comprises a first pair of elongated recesses, given that the first pair of elongated recesses are indentations that are substantially concave surfaces.</p> <p>The Roziapro Shaver comprises a first pair of elongated recesses being substantially parallel to each other, given that the first pair of elongated recesses are extending in the same direction generally.</p> <p>The Roziapro Shaver comprises a first pair of elongated recesses lying in a plane, given that the first pair of elongated recesses lie in a flat or level surface.</p> 

a second set of elongated spaced apart recesses formed in said bottom of said housing along said width entirely, and extending upwardly into said bottom, said recesses of said second set being located on opposite sides of said hub and extending perpendicular to said first pair of recesses.

The Roziapro Shaver comprises a second set of elongated spaced apart recesses formed in said bottom of said housing along said width entirely, and extending upwardly into said bottom, said recesses of said second set being located on opposite sides of said hub and extending perpendicular to said first pair of recesses:




The recesses, on opposite sides of the central hub, push the surface upwardly into the bottom of the housing:



The recessed areas are also elongated and extend perpendicularly across the bottom of the shaver housing:




The Roziapro Shaver comprises a second set of elongated spaced apart recesses, given that the second set of elongated spaced apart recesses are indentations that are substantially concave surfaces.

Claim 1 of the '528 Patent	Respondent Yiwu Xingye's Accused Product
	



(See Hatch Decl., Ex. H at App. A-12 at 1-16.).




Below is evidence from Mr. Hatch's claim chart demonstrating that Yiwu Xingye's Accused Product meets the limitations of claim 2 of the '528 patent.

Claim 2 of the '528 Patent	Respondent Yiwu Xingye's Accused Product
<p>The electric shaver as claimed in claim 1 wherein each of said recesses is defined by a concave surface adapted to accommodate a portion of a user's fingers therein.</p>	<p>The Roziapro Shaver's each of said recesses is defined by a concave surface adapted to accommodate a portion of a user's fingers therein:</p>  <p>The Roziapro Shaver comprises recesses, given that the recesses are indentations that are substantially concave surfaces.</p>

(See Hatch Decl., Ex. H at App. A-12 at 16-19.).




Below is evidence from Mr. Hatch's claim chart demonstrating that Yiwu Xingye's Accused Product meets the limitations of claim 3 of the '528 patent.

Claim 3 of the '528 Patent	Respondent Yiwu Xingye's Accused Product
An electric shaver comprising:	<p>The Roziapro Shaver is an electric shaver with an electric charging port.</p> 
<p>a housing for containing an electrical source and drive-related components, said housing having a length and a width, and including two substantially opposed and substantially parallel sides along said length, said housing further including a bottom surface, and a bottom surface, said bottom surface defining a first plane;</p>	<p>The Roziapro Shaver comprises a housing for containing an electrical source and drive-related components, said housing having a length and a width, and including two substantially opposed and substantially parallel sides along said length, said housing further including a bottom surface, and a bottom surface, said bottom surface defining a first plane.</p> <p>The Roziapro Shaver comprises substantially parallel sides along the length of the housing, given that the sides are extending in the same direction generally.</p> <p>The Roziapro Shaver comprises a bottom surface defining a plane, given that the bottom surface defines a flat or level surface.</p> 

Claim 3 of the '528 Patent	Respondent Yiwu Xingye's Accused Product
	
<p>a cutter mechanism located beneath said bottom surface of said housing and spaced therefrom;</p>	<p>The Roziapro Shaver comprises a cutter mechanism located beneath said bottom surface of said housing and spaced therefrom:</p> 
<p>a central hub extending from said bottom surface of said housing to said cutter mechanism and connecting said cutter mechanism to said housing;</p>	<p>The Roziapro Shaver comprises a central hub extending from said bottom surface of said housing to said cutter mechanism and connecting said cutter mechanism to said housing:</p> 
<p>said cutter mechanism including a cutting surface defining a second plane, said second plane being parallel to but spaced from said first plane;</p>	<p>The Roziapro Shaver cutter mechanism includes a cutting surface defining a second plane, said second plane being parallel to but spaced from said first plane. The Roziapro Shaver cutter mechanism includes a cutting surface defining a plane, given that the cutter surface defines a flat or level surface.</p>



Claim 3 of the '528 Patent	Respondent Yiwu Xingye's Accused Product
	
<p>a first pair of elongated recesses formed on said sides of said housing, said first pair of elongated recesses being substantially parallel to each other and lying in a third plane that is spaced apart from but parallel to said first and second planes;</p>	<p>The Roziapro Shaver comprises a first pair of elongated recesses formed on said sides of said housing, said first pair of elongated recesses being substantially parallel to each other and lying in a third plane that is spaced apart from but parallel to said first and second planes.</p> <p>The Roziapro Shaver comprises a first pair of elongated recesses, given that the first pair of elongated recesses are indentations that are substantially concave surfaces.</p> <p>The Roziapro Shaver comprises a first pair of elongated recesses being substantially parallel to each other, given that the first pair of elongated recesses are extending in the same direction generally.</p> <p>The Roziapro Shaver comprises a first pair of elongated recesses lying in a plane, given that the first pair of elongated recesses lie in a flat or level surface.</p> 




Claim 3 of the '528 Patent	Respondent Yiwu Xingye's Accused Product
	
<p>a second set of elongated spaced apart recesses formed in said bottom surface of said housing along said width entirely, and extending upwardly into said bottom surface, said recesses of said second set being located on opposite sides of said hub and extending perpendicular to said first pair of recesses, and</p>	<p>The Roziapro Shaver comprises a second set of elongated spaced apart recesses formed in said bottom surface of said housing along said width entirely, and extending upwardly into said bottom surface, said recesses of said second set being located on opposite sides of said hub and extending perpendicular to said first pair of recesses:</p>  <p>The recesses, on opposite sides of the central hub, push the surface upwardly into the bottom housing:</p>  <p>The recessed areas are also elongated and extend perpendicularly across the bottom of the shaver housing:</p>

Claim 3 of the '528 Patent	Respondent Yiwu Xingye's Accused Product
	 <p>The Roziapro Shaver comprises a second set of elongated spaced apart recesses, given that the second set of elongated spaced apart recesses are indentations that are substantially concave surfaces.</p> 
<p>wherein each of said recesses is defined by a concave surface adapted to accommodate a portion of a user's fingers therein.</p>	<p>The Roziapro Shaver's each of said recesses is defined by a concave surface adapted to accommodate a portion of a user's fingers therein:</p>  <p>The Roziapro Shaver comprises recesses, given that the recesses are indentations that are substantially concave surfaces.</p>

(See Hatch Decl., Ex. H at App. A-12 at 19-36.).

Similarly, below is evidence from Mr. Hatch's claim chart demonstrating that Yiwu City's Accused Product meets the limitations of claim 1 of the '528 patent.

Claim 1 of the '528 Patent	Respondent Yiwu City's Accused Product
<p>An electric shaver comprising:</p>	<p>The Surker 6 in 1 Electric Shavers for Men Bald Head ("Surker Shaver") is an electric shaver with an electric charging port.</p> 
<p>a housing for containing an electrical source and drive-related components, said housing having a length and a width, and including two substantially opposed and substantially parallel sides along said length, said housing further including a bottom;</p>	<p>The Surker Shaver comprises a housing for containing an electrical source and drive-related components, said housing having a length and a width, and including two substantially opposed and substantially parallel sides along said length, said housing further including a bottom. The Surker Shaver comprises substantially parallel sides along the length of the housing, given that the sides are extending in the same direction generally.</p> 

Claim 1 of the '528 Patent	Respondent Yiwu City's Accused Product
<p>a cutter mechanism located beneath said bottom of said housing and spaced therefrom;</p>	<p>The Surker Shaver comprises a cutter mechanism located beneath said bottom of said housing and spaced therefrom:</p> 
<p>a central hub extending from said bottom of said housing to said cutter mechanism and connecting said cutter mechanism to said housing;</p>	<p>The Surker Shaver comprises a central hub extending from said bottom of said housing to said cutter mechanism and connecting said cutter mechanism to said housing:</p> 
<p>said cutter mechanism including a cutting surface defining a plane;</p>	<p>The Surker Shaver cutter mechanism includes a cutting surface defining a plane, given that the cutter surface defines a flat or level surface.</p> 

Claim 1 of the '528 Patent	Respondent Yiwu City's Accused Product
<p>a first pair of elongated recesses formed on said sides of said housing, said first pair of elongated recesses being substantially parallel to each other and lying in a plane that is spaced apart from but parallel to the plane of said cutting surface, and</p>	<p>The Surker Shaver comprises a first pair of elongated recesses formed on said sides of said housing, said first pair of elongated recesses being substantially parallel to each other and lying in a plane that is spaced apart from but parallel to the plane of said cutting surface.</p> <p>The Surker Shaver comprises a first pair of elongated recesses, given that the first pair of elongated recesses are indentations that are substantially concave surfaces.</p> <p>The Surker Shaver comprises a first pair of elongated recesses being substantially parallel to each other, given that the first pair of elongated recesses are extending in the same direction generally.</p> <p>The Surker Shaver comprises a first pair of elongated recesses lying in a plane, given that the first pair of elongated recesses lie in a flat or level surface.</p> 

a second set of elongated spaced apart recesses formed in said bottom of said housing along said width entirely, and extending upwardly into said bottom, said recesses of said second set being located on opposite sides of said hub and extending perpendicular to said first pair of recesses.

The Surker Shaver comprises a second set of elongated spaced apart recesses formed in said bottom of said housing along said width entirely, and extending upwardly into said bottom, said recesses of said second set being located on opposite sides of said hub and extending perpendicular to said first pair of recesses:



The recesses, on opposite sides of the central hub, push the surface upwardly into the bottom housing:



The recessed areas are also elongated and extend perpendicularly across the bottom of the shaver housing:



The Surker Shaver comprises a second set of elongated spaced apart recesses, given that the second set of elongated spaced apart recesses are indentations that are substantially concave surfaces.