

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

**In the Matter of**

**CERTAIN ROBOTIC FLOOR  
CLEANING DEVICES AND  
COMPONENTS THEREOF**

**Inv. No. 337-TA-1252**

**NOTICE OF INSTITUTION OF INVESTIGATION**

Institution of Investigation Pursuant to 19 U.S.C. 1337

**AGENCY:** U.S. International Trade Commission

**ACTION:** Notice

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on January 28, 2021, under section 337 of the Tariff Act of 1930, as amended, on behalf of iRobot Corporation of Bedford, Massachusetts. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain robotic floor cleaning devices and components thereof by reason of infringement of certain claims of U.S. Patent No. 9,884,423 (“the ’423 patent”); U.S. Patent No. 10,813,517 (“the ’517 patent”); U.S. Patent No. 10,835,096 (“the ’096 patent”); U.S. Patent No. 7,571,511 (“the ’511 patent”); and U.S. Patent No. 10,296,007 (“the ’007 patent”). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

**ADDRESSES:** The complaint, except for any confidential information contained therein, may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Katherine Hiner, Office of Docket Services, U.S. International Trade Commission, telephone (202) 205-1802.

**SUPPLEMENTARY INFORMATION:**

**AUTHORITY:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission’s Rules of Practice and Procedure, 19 C.F.R. 210.10 (2020).

**SCOPE OF INVESTIGATION:** Having considered the complaint, the U.S. International Trade Commission, on February 25, 2021, **ORDERED THAT** –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted 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 1-4, 6-9, 12-15, 18, 20-23, 25, and 26 of the ’423 patent; claims 1, 3, 4, 9, and 10 of the ’517 patent; claims 1, 3-6, 8-10, 12-14, 16-19, 21-23, 25 and 26 of the ’096 patent; claims 1, 8-12, 14, 16, 18, 19, 22-25, 32-34, 36, 37, 55, 56, and 62 of the ’511 patent; and claims 1, 5, 6, 10, 12, and 13 of the ’007 patent; and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission’s Rules of Practice and Procedure, 19 C.F.R. 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is “robotic vacuums and wet/dry mops, their docking stations, and associated parts and components (including software)”;

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

iRobot Corporation  
8 Crosby Drive  
Bedford, MA 01730

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

SharkNinja Operating LLC  
89 A St. #100  
Needham, MA 02494

SharkNinja Management LLC  
89 A St. #100  
Needham, MA 02494

SharkNinja Management Co.  
89 A St. #100  
Needham, MA 02494

SharkNinja Sales Co.  
89 A St. #100  
Needham, MA 02494

EP Midco LLC  
89 A St. #100  
Needham, MA 02494

SharkNinja Hong Kong Co. Ltd.  
238 Des Voeux Road Central  
Sheung Wan  
Central & Western District - Hong Kong Island  
Hong Kong

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

The Office of Unfair Import Investigations will not participate as a party in this investigation.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.13. Pursuant to 19 C.F.R. 201.16(e) and 210.13(a), as amended in 85 Fed. Reg. 15798 (March 19, 2020), such responses will be considered by the Commission if received not later than 20 days after the date of service by the complainant of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.



Lisa R. Barton  
Secretary to the Commission

Issued: February 25, 2021

**PUBLIC CERTIFICATE OF SERVICE**

I, Lisa R. Barton, hereby certify that the attached **INSTITUTION OF INVESTIGATION** has been served upon the following parties as indicated, on **February 26, 2021**.



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

**Complainants:**

IRobot Corporation  
8 Crosby Drive  
Bedford, MA 01730

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Email Notification of Availability for Download

**On Behalf of Complainants:**

Paul F. Brinkman, Esq.  
**KIRKLAND & ELLIS LLP**  
1301 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Email: paul.brinkman@kirkland.com

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Email Notification of Availability for Download

**Respondents:**

SharkNinja Operating LLC  
89 A St. #100  
Needham, MA 02494

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Service to Be Completed by Complainants

SharkNinja Management LLC  
89 A St. #100  
Needham, MA 02494

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Service to Be Completed by Complainants

**CERTAIN ROBOTIC FLOOR CLEANING DEVICES AND COMPONENTS THEREOF**

**Inv. No. 337-TA-1252**

Certificate of Service – Page 2

SharkNinja Management Co.  
89 A St. #100  
Needham, MA 02494

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Service to Be Completed by Complainants

SharkNinja Sales Co.  
89 A St. #100  
Needham, MA 02494

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Service to Be Completed by Complainants

EP Midco LLC  
89 A St. #100  
Needham, MA 02494

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Service to Be Completed by Complainants

SharkNinja Hong Kong Co. Ltd.  
238 Des Voeux Road Central, Sheung Wan  
Central & Western District-  
Hong Kong Island-Hong Kong

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Service to Be Completed by Complainants

**Hong Kong Economic & Trade Office:**

Hong Kong Economic & Trade Office  
1520 18<sup>th</sup> Street, NW  
Washington, DC 20036

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Service to Be Completed by Complainants

**Government Agencies:**

Lynda Marshall  
International Section, Antitrust Division  
U.S. Department of Justice  
450 5th Street NW, Room 11000  
Washington, DC 20530

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Email Notification of Availability for Download

**CERTAIN ROBOTIC FLOOR CLEANING DEVICES AND  
COMPONENTS THEREOF**

**Inv. No. 337-TA-1252**

Certificate of Service – Page 3

U.S. Bureau of Customs and Border Protection  
Intellectual Property Rights Branch  
Mint Annex Building  
799 9<sup>th</sup> Street, NW, 7<sup>th</sup> floor  
Washington, DC 20229

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Email Notification  
of Availability for Download

Elizabeth Kraus, Deputy Director  
International Antitrust, Office of International Affairs  
Federal Trade Commission  
600 Pennsylvania Avenue, Room 498  
Washington, DC 20580

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Email Notification  
of Availability for Download

Dale D. Berkley, Ph.D., J.D.  
Office of the General Counsel, PHD, NIH Branch  
National Institutes of Health  
31 Center Drive  
Bldg. 31, Rm. 47  
Bethesda, MD 20892

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: Email Notification  
of Availability for Download



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

February 25, 2021

Paul F. Brinkman  
Kirkland and Ellis LLP  
1301 Pennsylvania Avenue, N.W.  
Washington, DC

**Re: Certain Robotic Floor Cleaning Devices and Components Therof  
Inv. No. 337-TA-1252**

Dear Paul F. Brinkman:

This letter is to advise you that the U.S. International Trade Commission has instituted an investigation pursuant to section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Commission's notice of investigation is enclosed. Also enclosed is the Section 337 Mediation Program brochure. After reviewing the brochure, please sign and return the enclosed certification of receipt.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa R. Barton".

Lisa R. Barton  
Secretary

Enclosures:

1. Notice of Investigation
2. Publication Regarding the Section 337 Mediation Program
3. Certification of Receipt of Mediation Materials



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

February 25, 2021

iRobot Corporation  
8 Crosby Drive  
Bedford, MA 01730

**Re: Certain Robotic Floor Cleaning Devices and Components Therof  
Inv. No. 337-TA-1252**

Dear Sir/Madam:

This letter is to advise you that the U.S. International Trade Commission has instituted an investigation pursuant to section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Commission's notice of investigation is enclosed. Also enclosed is the Section 337 Mediation Program brochure. After reviewing the brochure, please sign and return the enclosed certification of receipt.

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Lisa R. Barton  
Secretary

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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

February 25, 2021

SharkNinja Operating LLC  
89 A St. #100  
Needham, MA 02494

**Re: Certain Robotic Floor Cleaning Devices and Components Therof  
Inv. No. 337-TA-1252**

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). **SharkNinja Operating LLC** is a named respondent in this investigation.

We are hereby serving you with a copy of the Complaint and the Notice of Investigation issued in this matter. Enclosed is a copy of the Code of Federal Regulations. Also enclosed is a the Section 337 Mediation Program brochure. After reviewing this brochure, please sign and return the enclosed certification of receipt.

Please note that the Notice requires a response to the allegations in the Complaint and the response must be received not later than twenty (20) days after the date of service of the Complaint. Failure to file a response may result in inferences being drawn against your interests.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa R. Barton".

Lisa R. Barton  
Secretary

Enclosures:

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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

February 25, 2021

SharkNinja Management LLC  
89 A St. #100  
Needham, MA 02494

**Re: Certain Robotic Floor Cleaning Devices and Components Therof  
Inv. No. 337-TA-1252**

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). **SharkNinja Management LLC** is a named respondent in this investigation.

We are hereby serving you with a copy of the Complaint and the Notice of Investigation issued in this matter. Enclosed is a copy of the Code of Federal Regulations. Also enclosed is a the Section 337 Mediation Program brochure. After reviewing this brochure, please sign and return the enclosed certification of receipt.

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Secretary

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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

February 25, 2021

SharkNinja Management Co.  
89 A St. #100  
Needham, MA 02494

**Re: Certain Robotic Floor Cleaning Devices and Components Therof  
Inv. No. 337-TA-1252**

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). **SharkNinja Management Co.** is a named respondent in this investigation.

We are hereby serving you with a copy of the Complaint and the Notice of Investigation issued in this matter. Enclosed is a copy of the Code of Federal Regulations. Also enclosed is a the Section 337 Mediation Program brochure. After reviewing this brochure, please sign and return the enclosed certification of receipt.

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Lisa R. Barton  
Secretary

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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

February 25, 2021

SharkNinja Sales Co.  
89 A St. #100  
Needham, MA 02494

**Re: Certain Robotic Floor Cleaning Devices and Components Therof  
Inv. No. 337-TA-1252**

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). **SharkNinja Sales Co.** is a named respondent in this investigation.

We are hereby serving you with a copy of the Complaint and the Notice of Investigation issued in this matter. Enclosed is a copy of the Code of Federal Regulations. Also enclosed is a the Section 337 Mediation Program brochure. After reviewing this brochure, please sign and return the enclosed certification of receipt.

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Secretary

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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

February 25, 2021

EP Midco LLC  
89 A St. #100  
Needham, MA 02494

**Re: Certain Robotic Floor Cleaning Devices and Components Therof  
Inv. No. 337-TA-1252**

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). **EP Midco LLC** is a named respondent in this investigation.

We are hereby serving you with a copy of the Complaint and the Notice of Investigation issued in this matter. Enclosed is a copy of the Code of Federal Regulations. Also enclosed is a the Section 337 Mediation Program brochure. After reviewing this brochure, please sign and return the enclosed certification of receipt.

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Lisa R. Barton  
Secretary

Enclosures:

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2. Notice of Investigation
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4. Publication Regarding the Section 337 Mediation Program
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UNITED STATES INTERNATIONAL TRADE COMMISSION

---

WASHINGTON, DC 20436

February 25, 2021

SharkNinja Hong Kong Co. Ltd.  
238 Des Voeux Road Central Sheung Wan  
Central & Western District  
Hong Kong Island,  
Hong Kong

**Re: Certain Robotic Floor Cleaning Devices and Components Therof  
Inv. No. 337-TA-1252**

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). **SharkNinja Hong Kong Co. Ltd.** is a named respondent in this investigation.

We are hereby serving you with a copy of the Complaint and the Notice of Investigation issued in this matter. Enclosed is a copy of the Code of Federal Regulations. Also enclosed is a the Section 337 Mediation Program brochure. After reviewing this brochure, please sign and return the enclosed certification of receipt.

Please note that the Notice requires a response to the allegations in the Complaint and the response must be received not later than twenty (20) days after the date of service of the Complaint. Failure to file a response may result in inferences being drawn against your interests.

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Lisa R. Barton  
Secretary

Enclosures:

1. Complaint
2. Notice of Investigation
3. Code of Federal Regulation
4. Publication Regarding the Section 337 Mediation Program
5. Certification of Receipt of Mediation Materials

February 25, 2021

**Hong Kong Economic and Trade Office  
1520 18th Street, NW  
Washington, DC 20036**

**Re: Certain Robotic Floor Cleaning Devices and Components Therof  
Inv. No. 337-TA-1252**

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). One or more of the parties named in the investigation is located in **Hong Kong**.

Pursuant to Commission Rule 210.11(a) (3), we are hereby serving you with a copy of the Complaint filed in this investigation together with a copy of the Commission's Notice of Investigation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', written in a cursive style.

Lisa R. Barton

Enclosures:

1. Complaint
2. Notice of Investigation



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

February 25, 2021

Lynda Marshall  
International Section  
Antitrust Division  
U.S. Dept of Justice  
450 5th Street NW, Room 11000  
Washington, DC 20530

**Re: Certain Robotic Floor Cleaning Devices and Components Therof  
Inv. No. 337-TA-1252**

Dear Ms. Marshall:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to Docket Services at (202) 205-1802.

If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa R. Barton".

Lisa R. Barton  
Secretary

Enclosure:

1. Notice of Investigation





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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

February 25, 2021

Intellectual Property Rights Branch  
Regulations and Rulings  
Office of International Trade  
U.S. Customs and Border Protection  
90 K Street, NE, 10th floor  
Washington, DC 20229-1177

**Re: Certain Robotic Floor Cleaning Devices and Components Therof  
Inv. No. 337-TA-1252**

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to Docket Services at (202) 205-1802.

If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,

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Lisa R. Barton  
Secretary

Enclosure:

1. Notice of Investigation

February 25, 2021



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

Elizabeth Kraus, Deputy Director  
International Antitrust, Office of  
International Affairs  
Federal Trade Commission  
600 Pennsylvania Avenue, Room 498  
Washington, DC 20580

**Re: Certain Robotic Floor Cleaning Devices and Components Therof  
Inv. No. 337-TA-1252**

Dear Ms. Kraus:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to Docket Services at (202) 205-1802.

If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa R. Barton".

Lisa R. Barton  
Secretary

Enclosure:

1. Notice of Investigation



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

February 25, 2021

Dale D. Berkley, Ph.D., J.D.  
Office of the General Counsel, PHD, NIH Branch  
National Institutes of Health  
31 Center Drive  
Bldg. 31, Rm. 47  
Bethesda, MD 20892

**Re: Certain Robotic Floor Cleaning Devices and Components Therof  
Inv. No. 337-TA-1252**

Dear Mr. Berkley:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to Docket Services at (202) 205-1802.

If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa R. Barton".

Lisa R. Barton  
Secretary

Enclosure:

1. Notice of Investigation