

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

**In the Matter of**

**CERTAIN AUTOMATED PUT WALLS  
AND AUTOMATED STORAGE AND  
RETRIEVAL SYSTEMS, ASSOCIATED  
VEHICLES, ASSOCIATED CONTROL  
SOFTWARE, AND COMPONENT  
PARTS THEREOF**

**Inv. No. 337-TA-1293**

**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 December 22, 2021, under section 337 of the Tariff Act of 1930, as amended, on behalf of OPEX Corporation of Moorestown, New Jersey. A supplement was filed on January 10, 2022. The complaint, as supplemented, 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 automated put walls and automated storage and retrieval systems, associated vehicles, associated control software, and component parts thereof by reason of infringement of certain claims of U.S. Patent No. 8,104,601 (“the ’601 patent”), U.S. Patent No. 8,276,740 (“the ’740 patent”), U.S. Patent No. 8,622,194 (“the ’194 patent”), and U.S. Patent No. 10,576,505 (“the ’505 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: Jessica Mullan, 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 (2021).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on January 21, 2022, 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 1-28 of the '601 patent; claims 1-5 and 8-25 of the '740 patent; claims 1-10, 12-17, 19, and 20 of the '194 patent; and claims 1-5, 7-9, and 11-21 of the '505 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 "automated put walls and automated storage and retrieval systems; vehicles associated with these automated put walls and automated storage and retrieval systems; control software associated with these automated put walls and automated storage and retrieval systems; and component parts of these automated put walls and automated storage and retrieval systems";

(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:

OPEX Corporation  
305 Commerce Drive  
Moorestown, NJ 08057

(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:

HC Robotics (a.k.a. Huicang Information  
Technology Co., Ltd.)  
3rd Floor, Haiwei Building  
No. 101 Binkang Road  
Binjiang District

Hangzhou City, Zhejiang Province  
China

Invata, LLC (d/b/a Invata Intralogistics)  
1010 Spring Mill Avenue, Suite 300  
Conshohocken, PA 19428

(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 is not participating as a party to 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: January 21, 2022

**CERTAIN AUTOMATED PUT WALLS AND AUTOMATED STORAGE AND RETRIEVAL SYSTEMS, ASSOCIATED VEHICLES, ASSOCIATED CONTROL SOFTWARE, AND COMPONENTS PARTS THEREOF**

**Inv. No. 337-TA-1293**

**PUBLIC CERTIFICATE OF SERVICE**

I, Lisa R. Barton, hereby certify that the attached **INSTITUTION OF INVESTIGATION** has been served via EDIS upon the following parties as indicated, on **January 24, 2022**.



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

**Complainant:**

OPEX Corporation  
305 Commerce Drive  
Moorestown, NJ 08057

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

**On Behalf of Complainant OPEX Corporation:**

David J. Shaw, Esq.  
**DESMARAIS LLP**  
1701 Pennsylvania Avenue NW, Suite 200  
Washington, DC 20006  
Email: dshaw@desmaraisllp.com

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

**Respondents:**

HC Robotics (aka Huicang Information Technology Co., Ltd.)  
3rd Floor, Haiwei Building  
No. 101 Binkang Road, Binjiang District  
Hangzhou City, Zhejiang Province  
China 310051

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

Invata, LLC (d/b/a Invata Intralogistics)  
1010 Spring Mill Avenue, Suite 300  
Conshohocken, PA 19428

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail

**CERTAIN AUTOMATED PUT WALLS AND AUTOMATED STORAGE AND RETRIEVAL SYSTEMS, ASSOCIATED VEHICLES, ASSOCIATED CONTROL SOFTWARE, AND COMPONENTS PARTS THEREOF**

**Inv. No. 337-TA-1293**

Certificate of Service – Page 2

Other: Service to Be Completed by Complainant

**Embassy:**

Embassy of China  
3505 International Place, NW  
Washington, DC 20008

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

**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

Dax Terrill, Chief  
Exclusion Order Enforcement Branch  
U.S. Customs and Border Protection  
Regulations and Rulings  
90 K Street NE, 10th 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

January 24, 2022

David J. Shaw  
Desmarais LLP  
1701 Pennsylvania Avenue NW, Suite 200  
Washington, DC 20006

**Re: Certain Automated Put Walls and Automated Storage and Retrieval Systems,  
Associated Vehicles, Associated Control Software, and Component  
Parts Thereof; Inv. No. 337-TA-1293**

Dear David J. Shaw:

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

January 24, 2022

OPEX Corporation  
305 Commerce Drive  
Moorestown, NJ 08057

**Re: Certain Automated Put Walls and Automated Storage and Retrieval Systems,  
Associated Vehicles, Associated Control Software, and Component  
Parts Thereof; Inv. No. 337-TA-1293**

Dear Sir/Madam:

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Lisa R. Barton  
Secretary

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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

January 24, 2022

HC Robotics (a.k.a Huicang Information Technology Co., Ltd.)  
3rd Floor, Haiwei Building, No. 101 Binkang Road, Binjiang District  
Hangzhou City, Zhejiang Province, 310051 China

**Re: Certain Automated Put Walls and Automated Storage and Retrieval Systems,  
Associated Vehicles, Associated Control Software, and Component Parts Thereof;  
Inv. No. 337-TA-1293**

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). **HC Robotics (a.k.a Huicang Information Technology 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.

Sincerely,

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

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





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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

January 24, 2022

Invata, LLC (d/b/a Invata Intralogistics)  
1010 Spring Mill Avenue, Suite 300  
Conshohocken, PA 19428

**Re: Certain Automated Put Walls and Automated Storage and Retrieval Systems,  
Associated Vehicles, Associated Control Software, and Component Parts Thereof;  
Inv. No. 337-TA-1293**

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). **Invata, LLC (d/b/a Invata Intralogistics)** 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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Sincerely,

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

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



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

January 24, 2022

Embassy of the People's Republic of China  
3505 International Place, NW  
Washington, DC 20008

**Re: Certain Automated Put Walls and Automated Storage and Retrieval Systems,  
Associated Vehicles, Associated Control Software, and Component Parts  
Thereof; Inv. No. 337-TA-1293**

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 **China**.

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".

Lisa R. Barton  
Secretary

Enclosures:

1. Complaint
2. Notice of Investigation



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

January 24, 2022

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

**Re: Certain Automated Put Walls and Automated Storage and Retrieval Systems,  
Associated Vehicles, Associated Control Software, and Component Parts  
Thereof; Inv. No. 337-TA-1293**

Dear Lynda 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

January 24, 2022

Dax Terrill, Chief  
Exclusion Order Enforcement Branch  
U.S. Customs and Border Protection  
Regulations and Rulings  
90 K Street NE, 10th Floor  
Washington, DC 20229-1177

**Re: Certain Automated Put Walls and Automated Storage and Retrieval Systems,  
Associated Vehicles, Associated Control Software, and Component Parts  
Thereof; Inv. No. 337-TA-1293**

Dear Dax Terrill:

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



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

January 24, 2022

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

**Re: Certain Automated Put Walls and Automated Storage and Retrieval Systems,  
Associated Vehicles, Associated Control Software, and Component Parts  
Thereof; Inv. No. 337-TA-1293**

Dear Elizabeth 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 be "A. B.", written over a horizontal line.

Secretary

Enclosure:

1. Notice of Investigation



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

January 24, 2022

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

**Re: Certain Automated Put Walls and Automated Storage and Retrieval Systems,  
Associated Vehicles, Associated Control Software, and Component Parts  
Thereof; Inv. No. 337-TA-1293**

Dear Dale 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 "A. J. 23", written over a horizontal line.

Secretary

Enclosure:

1. Notice of Investigation