

**UNITED STATES INTERNATIONAL TRADE COMMISSION**

**Washington, D.C.**

**In the Matter of**

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

**Inv. No. 337-TA-1241**

**NOTICE REGARDING FINAL INITIAL DETERMINATION  
ON VIOLATION OF SECTION 337**

(March 11, 2022)

On this date, the undersigned issued an final initial determination on violation of section 337 in the above-captioned matter.<sup>1</sup> For the reasons discussed therein, it is the undersigned's final initial determination that there has been a violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, in the importation into the United States, the sale for importation, and/or the sale within the United States after importation of high speed electrical connectors, components thereof, electrical connectors disposed within metal cages, and products containing the same, including electrical connectors mounted to printed circuit boards, such as test boards, test fixtures, or mated compliance boards, based on infringement of claims 1, 9, 24, and 29 of U.S. Patent No. 7,371,117 (the "117 patent").

1. The Commission has subject matter jurisdiction over this investigation and *in personam* jurisdiction over Luxshare.
2. With the exception of Luxshare's QSFP 2x1 Press-fit product, the accused products have been imported into the United States, sold for importation, and/or sold within the United States after importation.
3. With the exception of Luxshare's QSFP 2x1 Press-fit product, the Commission

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<sup>1</sup> The determination has been issued with a confidential designation. A public version shall issue within 30 days, or in the time necessary to identify and redact the confidential business information therein, pursuant to Commission Rule 210.5(f).


has *in rem* jurisdiction over the accused products.

4. The redesign products are ripe for adjudication with respect to the '117 patent, U.S. Patent No. 9,705,255 (“the ‘255 patent”), and U.S. Patent No. 10,381,767 (“the ‘767 patent”).
5. The redesign products do not infringe any asserted claims of the ‘117, the ‘255, and the ‘767 patents.
6. Claims 1, 9, 24, and 29 of the ‘117 patent are infringed by one or more accused products.
7. Claim 11 of the ‘117 patent is not infringed.
8. Claims 12-14, 16, and 17 of the ‘255 patent are not infringed.
9. Claims 1, 4, 5, 9, 10, 11, 12, 13, 15, 16, 17, and 19 of the ‘767 patent are infringed by Luxshare’s QSFP 2x1 Press-fit product, which has not been imported into the United States, sold for importation, and/or sold within the United States after importation.
10. Claims 6, 23, 28, and 29 of the ‘767 patent are not infringed.
11. Claims 1, 9, 11, 24, and 29 of the ‘117 patent have not been shown invalid by clear and convincing evidence as obvious in view of the prior art under 35 U.S.C. § 103.
12. Claims 12-14, 16, and 17 of the ‘255 patent have not been shown invalid by clear and convincing evidence as obvious in view of the prior art under 35 U.S.C. § 103.
13. Claims 1, 4-6, 9-13, 15-17, and 19 of the ‘767 patent have been shown invalid by clear and convincing evidence as anticipated and/or obvious in view of the prior art under 35 U.S.C. §§ 102, 103.
14. Claims 23, 28, and 29 of the ‘767 patent have not been shown invalid by clear and convincing evidence as anticipated and/or obvious in view of the prior art under 35 U.S.C. §§ 102, 103.
15. Claims 1, 9, 11, 24, and 29 of the ‘117 patent have not been shown invalid by clear and convincing evidence as lacking enablement and written description under 35 U.S.C. § 112.
16. Claims 12-14, 16, and 17 of the ‘255 patent have not been shown invalid by clear and convincing evidence as lacking enablement and written description under 35 U.S.C. § 112.
17. Claims 1, 9, 11, 24, and 29 of the ‘117 patent have not been shown invalid by

clear and convincing evidence as indefinite under 35 U.S.C. § 112.

18. Claims 12-14, 16, and 17 of the '255 patent have not been shown invalid by clear and convincing evidence as indefinite under 35 U.S.C. § 112.
19. Claims 1, 4-6, 9, 10-13, 15-17, 19, 23, 28, and 29 of the '767 patent have not been shown invalid by clear and convincing evidence as indefinite under 35 U.S.C. § 112.
20. The '767 patent has not been shown unenforceable due to inequitable conduct.
21. The technical prong of the domestic requirement has been satisfied for the '117 patent and the '255 patent.
22. The technical prong of domestic requirement would be satisfied with respect to the '767 patent if the practiced claims were not invalid as anticipated and/or obvious.
23. The economic prong of the domestic industry requirement has been satisfied with respect to the '117 patent, the '255 patent, and the '767 patent.

**SO ORDERED.**

  
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Monica Bhattacharyya  
Administrative Law Judge