

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN TABLE SAWS INCORPORATING
ACTIVE INJURY MITIGATION TECHNOLOGY
AND COMPONENTS THEREOF**

Inv. No. 337-TA-965

NOTICE OF INITIAL DETERMINATION ON VIOLATION OF SECTION 337

Administrative Law Judge Thomas B. Pender

(September 9, 2016)

On this date, I issued an initial determination on violation of section 337 in the above-referenced investigation. Below are my Initial Determination and the Conclusions of Law from said filing, which are a matter of public record. A complete public version of the Initial Determination will issue when all the parties have submitted their redactions and I have had an opportunity to review such redactions.

SO ORDERED.



Thomas B. Pender
Administrative Law Judge

XII. CONCLUSIONS OF LAW

1. The Commission has personal jurisdiction over the parties and subject-matter jurisdiction over the accused products.
2. The importation or sale requirement of Section 337 is satisfied.
3. SawStop's domestic industry products practice the asserted claims of U.S. Patent No. 7,225,712.
4. The domestic industry requirement is satisfied with respect to the '712 patent.
5. Bosch does not infringe the asserted claims of the '712 patent.
6. Bosch does not contributorily infringe the asserted claims of the '712 patent.
7. The asserted claims of the '712 patent have not been shown to be invalid.
8. There is no violation of Section 337 with respect to the '712 patent.
9. SawStop's domestic industry products practice the asserted claims of U.S. Patent No. 7,600,455.
10. The domestic industry requirement is satisfied with respect to the '455 patent.
11. Bosch does not infringe the asserted claims of the '455 patent.
12. Bosch does not contributorily infringe the asserted claims of the '455 patent.
13. The asserted claims of the '455 patent have not been shown to be invalid.
14. There is no violation of Section 337 with respect to the '455 patent.
15. SawStop's domestic industry products practice the asserted claims of U.S. Patent No. 7,895,927.
16. The domestic industry requirement is satisfied with respect to the '927 patent.
17. Bosch infringes the asserted claims of the '927 patent.
18. Bosch contributorily infringes the asserted claims of the '927 patent.
19. The asserted claims of the '927 patent have not been shown to be invalid.
20. There is a violation of Section 337 with respect to the '927 patent.
21. SawStop's domestic industry products practice the asserted claims of U.S. Patent No. 8,011,279.

22. The domestic industry requirement is satisfied with respect to the '279 patent.
23. Bosch infringes the asserted claims of the '279 patent.
24. Bosch contributorily infringes the asserted claims of the '279 patent.
25. The asserted claims of the '279 patent have not been shown to be invalid.
26. There is a violation of Section 337 with respect to the '279 patent.

XIII. INITIAL DETERMINATION AND ORDER

Based on the foregoing, it is my Initial Determination that there is 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, or the sale within the United States after importation of certain table saws incorporating active injury mitigation technology and components thereof, in connection with the asserted claims of U.S. Patent Nos. 7,895,927 and 8,011,279.

Furthermore, it is my determination that a domestic industry in the United States exists that practices or exploits each of the asserted patents.

The undersigned hereby CERTIFIES to the Commission this Initial Determination, together with the record of the hearing in this investigation consisting of the following: the transcript of the evidentiary hearing, with appropriate corrections as may hereafter be ordered; and the exhibits accepted into evidence in this investigation as listed in the appendices hereto.

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

**IN THE MATTER OF CERTAIN TABLE SAWS,
INCORPORATING ACTIVE INJURY MITIGATION TECHNOLOGY
AND COMPONENTS THEREOF**

337-TA-965

CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **PUBLIC NOTICE OF INITIAL DETERMINATION** has been served upon the following parties via first class mail and air mail where necessary on 9/9/2016



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

FOR COMPLAINANTS SAWSTOP, LLC & SD3, LLC.:

Paul F. Brinkman, Esq..

QUINN EMMANUEL URQUHART & SULLIVAN, LLP

777 6th Street, NW 11th Floor

Washington, DC 20001

- () Via Hand Delivery
() Via Express Delivery
() Via First Class Mail
() Other: _____

FOR RESPONDENTS ROBERT BOSCH TOOL CORPORATION & ROBERT BOSCH GMBH:

Mark A. Hannemann, Esq.

SHEARMAN & STERLING LLP

599 Lexington Avenue

New York, NY 10022

- () Via Hand Delivery
() Via Express Delivery
() Via First Class Mail
() Other: _____