

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC

In the Matter of

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

GENERAL EXCLUSION ORDER

The Commission has determined that there is a violation of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, in the unlawful importation, sale for importation, or sale within the United States after importation of certain mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of United States Patent No. 8,602,376 (“the ’376 patent”) and claims 1, 11, and 12 of United States Patent No. 8,870,146 (“the ’146 patent”).

Having reviewed the record in this investigation, including the written submissions of the parties, the Commission has made its determinations on the issues of remedy, the public interest, and bonding. The Commission has determined that a general exclusion from entry for consumption is necessary to prevent circumvention of an exclusion order limited to products of named persons and because there is a pattern of violation of section 337 and it is difficult to identify the source of infringing products. Accordingly, the Commission has determined to issue a general exclusion order prohibiting the unlicensed importation of infringing mobile device holders and components thereof (“covered products”).

The Commission has also determined that the public interest factors enumerated in 19 U.S.C. § 1337(d) do not preclude issuance of the general exclusion order, and that the bond

during the Presidential review period shall be in the amount of one hundred (100) percent of entered value for all covered products in question.

Accordingly, the Commission hereby **ORDERS** that:

1. Mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of the '376 patent and claims 1, 11, and 12 of the '146 patent are excluded from entry into the United States for consumption, entry for consumption from a foreign-trade zone, or withdrawal from a warehouse for consumption for the remaining terms of the patents, except under license from, or with the permission of, the patent owner or as provided by law.
2. Notwithstanding paragraph 1 of this Order, the aforesaid mobile device holders and components thereof are entitled to entry into the United States for consumption, entry for consumption from a foreign-trade zone, or withdrawal from a warehouse for consumption, under a bond in the amount of one hundred (100) percent of entered value of the products pursuant to subsection (j) of Section 337 (19 U.S.C. § 1337(j)), and the Presidential Memorandum for the United States Trade Representative of July 21, 2005 (70 *Fed Reg.* 43251), from the day after this Order is received by the United States Trade Representative and until such time as the United States Trade Representative notifies the Commission that this Order is approved or disapproved but, in any event, not later than sixty (60) days after the date of receipt of this Order.
3. At the discretion of U.S. Customs and Border Protection ("CBP") and pursuant to procedures it establishes, persons seeking to import mobile device holders and components thereof that are potentially subject to this Order may be

required to certify that they are familiar with the terms of this Order, that they have made appropriate inquiry, and thereupon state that, to the best of their knowledge and belief, the products being imported are not excluded from entry under paragraph 1 of this Order. At its discretion, CBP may require persons who have provided the certification described in this paragraph to furnish such records or analyses as are necessary to substantiate the certification.

4. In accordance with 19 U.S.C. § 1337(l), the provisions of this Order shall not apply to mobile device holders and components thereof that are imported by and for the use of the United States, or imported for, and to be used for, the United States with the authorization or consent of the Government.
5. The Commission may modify this Order in accordance with the procedures described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).
6. The Commission Secretary shall serve copies of this Order upon each party of record in this investigation and upon the CBP.
7. Notice of this Order shall be published in the *Federal Register*.

By order of the Commission.



Lisa R. Barton
Office of the Secretary

Issued: February 22, 2018

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Cortney Hoecherl, Esq., and the following parties as indicated, on 2/22/2018



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

On Behalf of Complainant Nite Ize, Inc.:

James B. Altman, Esq.
FOSTER, MURPHY, ALTMAN & NICKEL, P.C.
1150 18th Street NW, Suite 775
Washington, DC 20036

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

Respondents:

REXS LLC
16192 Coastal Highway
Lewes, DE 19958

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

Shenzhen New Dream Technology Co., Ltd., d/b/a Newdreams,
Room 307, Haotai building Baomin Second
Road No. 1, Xixiang Street Bao'an,
Shenzhen, China, 518102

- Via Hand Delivery
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Wang Zhi Gang d/b/a IceFox,
Room 806, Ge Lin Wang Yuan YanNan Road,
Futian District
Shenzhen, China, 518000

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CERTAIN MOBILE DEVICE HOLDERS AND COMPONENTS THEREOF

Inv. No. 337-TA-1028

Certificate of Service – Page 2

Shenzhen Topworld Technology Co. d/b/a IdeaPro,
Rm 603, 6/F Hang Pont Comm. Bldg. 31
Tonk In St., Cheung Sha Wan Kln, Hong Kong,
Hong Kong

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502, B Seat, 3 Building, Guandi Garden
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Shenzhen, Guangdong, China 518128

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No 2336 Nanhai Road, Nanshan District
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16419 North 91st Street, Suite 125
Scottsdale, AZ 85260

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Tontek d/b/a Shenzhen Hetongtai Electronics Co., Ltd.,
B1505, Niulanqian Bldg., Minzhi Street, Longhua New Area,
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Scotabc d/b/a ShenChuang Opto-electronics Technology Co. Ltd.,
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COMPONENTS THEREOF**

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Baoanqu Shenzhen, Guangdong,
China, 518000

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Oumeiou d/b/a Shenzhen Oumeiou Technology Co., Ltd.
F3 Comprehensive Bldg. of Nankeng 2nd Industrial Park,
Bantian Street, Longgang,
Shenzhen, China, 518112

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

Shenzhen Longwang Technology Co. Ltd. d/b/a LWANG
B21, 5/F, West of Bldg. 4, Seg Tech Park,
Huaqiang North Rd., Futian Dist., Shenzhen, Guangdong,
China, 518000

- Via Hand Delivery
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- Other: _____

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC

In the Matter of

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT Shenzhen Longwang Technology Co., Ltd., d/b/a LWANG of B21, 5/F, West of Bldg. 4, Seg Tech Park, Huaqiang North Rd., Futian Dist., Shenzhen, Guangdong, China 518000 cease and desist from conducting any of the following activities in the United States, including via the internet: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), soliciting United States agents or distributors, and aiding or abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of United States Patent No. 8,602,376 (“the ’376 patent”) and claims 1, 11, and 12 of United States Patent No. 8,870,146 (“the ’146 patent”) (collectively, the “Asserted Patents”), in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

I. Definitions

As used in this order:

- (A) “Commission” shall mean the United States International Trade Commission.
- (B) “Complainant” shall mean Nite Ize, Inc. of Boulder, Colorado.
- (C) “Respondent” shall mean Shenzhen Longwang Technology Co., Ltd., d/b/a LWANG.

- (D) “Person” shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or its majority-owned or controlled subsidiaries, successors, or assigns.
- (E) “United States” shall mean the fifty States, the District of Columbia, and Puerto Rico.
- (F) The terms “import” and “importation” refer to importation for entry for consumption under the Customs laws of the United States.
- (G) The term “covered products” shall mean mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of the ’376 patent and claims 1, 11, and 12 of the ’146 patent.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of its principals, stockholders, officers, directors, employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned business entities, successors, and assigns, and to each of them, insofar as they are engaging in conduct prohibited by section III, *infra*, for, with, or otherwise on behalf of, Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order.

For the remaining term of the Asserted Patents, Respondent shall not:

- (A) import, sell for importation, or sell after importation into the United States covered products;
- (B) market, distribute, offer for sale, or otherwise transfer (except for exportation) imported covered products;

- (C) advertise imported covered products;
- (D) solicit U.S. agents or distributors for imported covered products; or
- (E) aid or abet other entities in the importation, sale for importation, sale after importation, transfer or distribution of covered products.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Asserted Patents licenses or authorizes such specific conduct, or such specific conduct is related to the importation or sale of covered products by or for the United States.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this order through June 30, 2018. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that it has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in U.S. dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in U.S. dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above and submit eight (8) true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the

Commission's Rules of Practice and Procedure (19 C.F.R. § 210.4(f)). Submissions should refer to the investigation number ("Inv. No. 337-TA-1028") in a prominent place on the cover pages and/or the first page. *See Handbook for Electronic Filing Procedures,*

http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.

Persons with questions regarding filing should contact the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, it must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainant's counsel.¹

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI. Record-Keeping and Inspection

(A) For the purpose of securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

(B) For the purposes of determining or securing compliance with this Order and for no other purpose, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in

¹ Complainant must file a letter with the Secretary identifying the attorney to receive reports and bond information associated with this Order. The designated attorney must be on the protective order entered in the investigation.

Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

VII. Service of Cease and Desist Order

Respondent is ordered and directed to:

(A) Serve, within fifteen (15) days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, or sale of imported covered products in the United States;

(B) Serve, within fifteen (15) days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of the Order upon each successor; and

(C) Maintain such records as will show the name, title, and address of each person upon whom the Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect until the date of expiration of the Asserted Patents.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to section VI of this order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by section III of this order may be continued during the sixty-day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 Fed. Reg. 43,251 (Jul. 21, 2005)), subject to Respondent's posting of a bond in the amount of one hundred (100) percent of the entered value of the covered products. This bond provision does not apply to conduct that is otherwise permitted by section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond as set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by complainants in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying

documentation are to be provided to and approved by the Commission prior to the commencement of conduct that is otherwise prohibited by section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and accompanying documentation on Complainant's counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

This bond is to be released in the event the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, upon service on Respondent of an order issued by the Commission based upon application therefore made by Respondent to the Commission.

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: February 22, 2018.

² See Footnote 1.

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Cortney Hoecherl, Esq., and the following parties as indicated, on 2/22/2018



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

On Behalf of Complainant Nite Ize, Inc.:

James B. Altman, Esq.
FOSTER, MURPHY, ALTMAN & NICKEL, P.C.
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**UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC**

In the Matter of

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT Shenzhen Topworld Technology Co. d/b/a IdeaPro of Rm 603, 6/F Hang Pont Comm. Bldg. 31 Tonk In St., Cheung Sha Wan Kin, Hong Kong cease and desist from conducting any of the following activities in the United States, including via the internet: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), soliciting United States agents or distributors, and aiding or abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of United States Patent No. 8,602,376 (“the ’376 patent”) and claims 1, 11, and 12 of United States Patent No. 8,870,146 (“the ’146 patent”) (collectively, the “Asserted Patents”), in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

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- (B) “Complainant” shall mean Nite Ize, Inc. of Boulder, Colorado.
- (C) “Respondent” shall mean Shenzhen Topworld Technology Co. d/b/a IdeaPro.

- (D) “Person” shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or its majority-owned or controlled subsidiaries, successors, or assigns.
- (E) “United States” shall mean the fifty States, the District of Columbia, and Puerto Rico.
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III. Conduct Prohibited

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For the remaining term of the Asserted Patents, Respondent shall not:

- (A) import, sell for importation, or sell after importation into the United States covered products;
- (B) market, distribute, offer for sale, or otherwise transfer (except for exportation) imported covered products;

- (C) advertise imported covered products;
- (D) solicit U.S. agents or distributors for imported covered products; or
- (E) aid or abet other entities in the importation, sale for importation, sale after importation, transfer or distribution of covered products.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Asserted Patents licenses or authorizes such specific conduct, or such specific conduct is related to the importation or sale of covered products by or for the United States.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this order through June 30, 2018. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that it has no inventory of covered products in the United States.

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When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above and submit eight (8) true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the

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http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.

Persons with questions regarding filing should contact the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, it must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainant's counsel.¹

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI. Record-Keeping and Inspection

(A) For the purpose of securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

(B) For the purposes of determining or securing compliance with this Order and for no other purpose, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in

¹ Complainant must file a letter with the Secretary identifying the attorney to receive reports and bond information associated with this Order. The designated attorney must be on the protective order entered in the investigation.

Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

VII. Service of Cease and Desist Order

Respondent is ordered and directed to:

(A) Serve, within fifteen (15) days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, or sale of imported covered products in the United States;

(B) Serve, within fifteen (15) days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of the Order upon each successor; and

(C) Maintain such records as will show the name, title, and address of each person upon whom the Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect until the date of expiration of the Asserted Patents.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to section VI of this order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by section III of this order may be continued during the sixty-day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 Fed. Reg. 43,251 (Jul. 21, 2005)), subject to Respondent's posting of a bond in the amount of one hundred (100) percent of the entered value of the covered products. This bond provision does not apply to conduct that is otherwise permitted by section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond as set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by complainants in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying

documentation are to be provided to and approved by the Commission prior to the commencement of conduct that is otherwise prohibited by section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and accompanying documentation on Complainant's counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

This bond is to be released in the event the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, upon service on Respondent of an order issued by the Commission based upon application therefore made by Respondent to the Commission.

By order of the Commission.



Lisa R. Barton

Secretary to the Commission

Issued: February 22, 2018

² See Footnote 1.

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Cortney Hoecherl, Esq., and the following parties as indicated, on 2/22/2018



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

On Behalf of Complainant Nite Ize, Inc.:

James B. Altman, Esq.
FOSTER, MURPHY, ALTMAN & NICKEL, P.C.
1150 18th Street NW, Suite 775
Washington, DC 20036

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

Respondents:

REXS LLC
16192 Coastal Highway
Lewes, DE 19958

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

Shenzhen New Dream Technology Co., Ltd., d/b/a Newdreams,
Room 307, Haotai building Baomin Second
Road No. 1, Xixiang Street Bao'an,
Shenzhen, China, 518102

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

Wang Zhi Gang d/b/a IceFox,
Room 806, Ge Lin Wang Yuan YanNan Road,
Futian District
Shenzhen, China, 518000

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

CERTAIN MOBILE DEVICE HOLDERS AND COMPONENTS THEREOF

Inv. No. 337-TA-1028

Certificate of Service – Page 2

Shenzhen Topworld Technology Co. d/b/a IdeaPro,
Rm 603, 6/F Hang Pont Comm. Bldg. 31
Tonk In St., Cheung Sha Wan Kln, Hong Kong,
Hong Kong

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

Lin Zhen Mei d/b/a Anson
502, B Seat, 3 Building, Guandi Garden
Xian N7 area, Jiaan west Rd, Baoan Dist.
Shenzhen, Guangdong, China 518128

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

Wu Xuying d/b/a Novoland
No 2336 Nanhai Road, Nanshan District
Shenzhen, China, 518054

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

Trendbox USA LLC d/b/a Trendbox
16419 North 91st Street, Suite 125
Scottsdale, AZ 85260

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

Tontek d/b/a Shenzhen Hetongtai Electronics Co., Ltd.,
B1505, Niulanqian Bldg., Minzhi Street, Longhua New Area,
Shenzhen, Guangdong,
China, 518000

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

Scotabc d/b/a ShenChuang Opto-electronics Technology Co. Ltd.,
Rm. 1203A, Zhanyuan Business Bldg, No. 912 Meilong Rd.,
Longhua town, Longhua Dist. Shenzhen, Guangdong,
China, 068100

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

Tenswall d/b/a Shenzhen Tenswall
International Trading Co., Ltd.
14837 Proctor Ave. Ste. A,
La Puente, CA 91746

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

Luo Jieqiong d/b/a Wekin
Room 1602, Building 20, Hua Sheng Shi Ji
Xin Cheng Yu Hua Dist. Chang Sha,
China, 410100

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 3

Pecham d/b/a Baichen Technology Ltd.
Rm 20A, Kiu Fu Comm. Bldg. 300 Lockhart Rd.
Wan Chai, Hong Kong

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

Wang Guoxiang d/b/a Minse
Rm. 609, Block 2, Xinghu Garden No. 9, Jinbi Rd,
Luohu Dist. Shenzhen, Guangdong,
China 518028

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

Zhiping Zhou d/b/a Runshion
31F, Dong C, Jinganghuating, Baoandadao,
Baoanqu Shenzhenshi, Guangdong,
China, 518000

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

Oumeiou d/b/a Shenzhen Oumeiou Technology Co., Ltd.
F3 Comprehensive Bldg. of Nankeng 2nd Industrial Park,
Bantian Street, Longgang,
Shenzhen, China, 518112

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

Shenzhen Longwang Technology Co. Ltd. d/b/a LWANG
B21, 5/F, West of Bldg. 4, Seg Tech Park,
Huaqiang North Rd., Futian Dist., Shenzhen, Guangdong,
China, 518000

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

**UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC**

In the Matter of

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT Scotabc d/b/a ShenChuang Optoelectronics Technology Co., Ltd. of Rm. 1203A, Zhanyuan Business Bldg, No. 912 Meilong Rd., Longhua town, Longhua Dist. Shenzhen, Guangdong, China, 068100 cease and desist from conducting any of the following activities in the United States, including via the internet: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), soliciting United States agents or distributors, and aiding or abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of United States Patent No. 8,602,376 (“the ’376 patent”) and claims 1, 11, and 12 of United States Patent No. 8,870,146 (“the ’146 patent”) (collectively, the “Asserted Patents”), in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

I. Definitions

As used in this order:

- (A) “Commission” shall mean the United States International Trade Commission.
- (B) “Complainant” shall mean Nite Ize, Inc. of Boulder, Colorado.
- (C) “Respondent” shall mean Scotabc d/b/a ShenChuang Optoelectronics Technology Co., Ltd.

- (D) "Person" shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or its majority-owned or controlled subsidiaries, successors, or assigns.
- (E) "United States" shall mean the fifty States, the District of Columbia, and Puerto Rico.
- (F) The terms "import" and "importation" refer to importation for entry for consumption under the Customs laws of the United States.
- (G) The term "covered products" shall mean mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of the '376 patent and claims 1, 11, and 12 of the '146 patent.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of its principals, stockholders, officers, directors, employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned business entities, successors, and assigns, and to each of them, insofar as they are engaging in conduct prohibited by section III, *infra*, for, with, or otherwise on behalf of, Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order.

For the remaining term of the Asserted Patents, Respondent shall not:

- (A) import, sell for importation, or sell after importation into the United States covered products;
- (B) market, distribute, offer for sale, or otherwise transfer (except for exportation) imported covered products;

- (C) advertise imported covered products;
- (D) solicit U.S. agents or distributors for imported covered products; or
- (E) aid or abet other entities in the importation, sale for importation, sale after importation, transfer or distribution of covered products.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Asserted Patents licenses or authorizes such specific conduct, or such specific conduct is related to the importation or sale of covered products by or for the United States.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this order through June 30, 2018. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that it has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in U.S. dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in U.S. dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above and submit eight (8) true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the

Commission's Rules of Practice and Procedure (19 C.F.R. § 210.4(f)). Submissions should refer to the investigation number ("Inv. No. 337-TA-1028") in a prominent place on the cover pages and/or the first page. *See Handbook for Electronic Filing Procedures,*

http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.

Persons with questions regarding filing should contact the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, it must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainant's counsel.¹

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI. Record-Keeping and Inspection

(A) For the purpose of securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

(B) For the purposes of determining or securing compliance with this Order and for no other purpose, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in

¹ Complainant must file a letter with the Secretary identifying the attorney to receive reports and bond information associated with this Order. The designated attorney must be on the protective order entered in the investigation.

Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

VII. Service of Cease and Desist Order

Respondent is ordered and directed to:

(A) Serve, within fifteen (15) days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, or sale of imported covered products in the United States;

(B) Serve, within fifteen (15) days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of the Order upon each successor; and

(C) Maintain such records as will show the name, title, and address of each person upon whom the Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect until the date of expiration of the Asserted Patents.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to section VI of this order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by section III of this order may be continued during the sixty-day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 Fed. Reg. 43,251 (Jul. 21, 2005)), subject to Respondent's posting of a bond in the amount of one hundred (100) percent of the entered value of the covered products. This bond provision does not apply to conduct that is otherwise permitted by section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond as set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by complainants in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying

documentation are to be provided to and approved by the Commission prior to the commencement of conduct that is otherwise prohibited by section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and accompanying documentation on Complainant's counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

This bond is to be released in the event the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, upon service on Respondent of an order issued by the Commission based upon application therefore made by Respondent to the Commission.

By order of the Commission.



Lisa R. Barton

Secretary to the Commission

Issued: February 22, 2018

² See Footnote 1.

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Cortney Hoecherl, Esq., and the following parties as indicated, on 2/22/2018



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

On Behalf of Complainant Nite Ize, Inc.:

James B. Altman, Esq.
FOSTER, MURPHY, ALTMAN & NICKEL, P.C.
1150 18th Street NW, Suite 775
Washington, DC 20036

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

Respondents:

REXS LLC
16192 Coastal Highway
Lewes, DE 19958

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

Shenzhen New Dream Technology Co., Ltd., d/b/a Newdreams,
Room 307, Haotai building Baomin Second
Road No. 1, Xixiang Street Bao'an,
Shenzhen, China, 518102

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

Wang Zhi Gang d/b/a IceFox,
Room 806, Ge Lin Wang Yuan YanNan Road,
Futian District
Shenzhen, China, 518000

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

CERTAIN MOBILE DEVICE HOLDERS AND COMPONENTS THEREOF

Inv. No. 337-TA-1028

Certificate of Service – Page 2

Shenzhen Topworld Technology Co. d/b/a IdeaPro,
Rm 603, 6/F Hang Pont Comm. Bldg. 31
Tonk In St., Cheung Sha Wan Kln, Hong Kong,
Hong Kong

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

Lin Zhen Mei d/b/a Anson
502, B Seat, 3 Building, Guandi Garden
Xian N7 area, Jiaan west Rd, Baoan Dist.
Shenzhen, Guangdong, China 518128

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

Wu Xuying d/b/a Novoland
No 2336 Nanhai Road, Nanshan District
Shenzhen, China, 518054

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

Trendbox USA LLC d/b/a Trendbox
16419 North 91st Street, Suite 125
Scottsdale, AZ 85260

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

Tontek d/b/a Shenzhen Hetongtai Electronics Co., Ltd.,
B1505, Niulanqian Bldg., Minzhi Street, Longhua New Area,
Shenzhen, Guangdong,
China, 518000

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

Scotabc d/b/a ShenChuang Opto-electronics Technology Co. Ltd.,
Rm. 1203A, Zhanyuan Business Bldg, No. 912 Meilong Rd.,
Longhua town, Longhua Dist. Shenzhen, Guangdong,
China, 068100

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

Tenswall d/b/a Shenzhen Tenswall
International Trading Co., Ltd.
14837 Proctor Ave. Ste. A,
La Puente, CA 91746

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

Luo Jieqiong d/b/a Wekin
Room 1602, Building 20, Hua Sheng Shi Ji
Xin Cheng Yu Hua Dist. Chang Sha,
China, 410100

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 3

Pecham d/b/a Baichen Technology Ltd.
Rm 20A, Kiu Fu Comm. Bldg. 300 Lockhart Rd.
Wan Chai, Hong Kong

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

Wang Guoxiang d/b/a Minse
Rm. 609, Block 2, Xinghu Garden No. 9, Jinbi Rd,
Luohu Dist. Shenzhen, Guangdong,
China 518028

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

Zhiping Zhou d/b/a Runshion
31F, Dong C, Jinganghuating, Baoandadao,
Baoanqu Shenzhen, Guangdong,
China, 518000

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

Oumeiou d/b/a Shenzhen Oumeiou Technology Co., Ltd.
F3 Comprehensive Bldg. of Nankeng 2nd Industrial Park,
Bantian Street, Longgang,
Shenzhen, China, 518112

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

Shenzhen Longwang Technology Co. Ltd. d/b/a LWANG
B21, 5/F, West of Bldg. 4, Seg Tech Park,
Huaqiang North Rd., Futian Dist., Shenzhen, Guangdong,
China, 518000

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

**UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC**

In the Matter of

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT Shenzhen New Dream Technology Co., Ltd., d/b/a Newdreams of Room 307, Haotai building Baomin Second Road No.1, Xixiang Street Bao'an, Shenzhen, China, 518102 cease and desist from conducting any of the following activities in the United States, including via the internet: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), soliciting United States agents or distributors, and aiding or abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of United States Patent No. 8,602,376 (“the ’376 patent”) and claims 1, 11, and 12 of United States Patent No. 8,870,146 (“the ’146 patent”) (collectively, the “Asserted Patents”), in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

I. Definitions

As used in this order:

- (A) “Commission” shall mean the United States International Trade Commission.
- (B) “Complainant” shall mean Nite Ize, Inc. of Boulder, Colorado.
- (C) “Respondent” shall mean Shenzhen New Dream Technology Co., Ltd., d/b/a Newdreams.

- (D) "Person" shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or its majority-owned or controlled subsidiaries, successors, or assigns.
- (E) "United States" shall mean the fifty States, the District of Columbia, and Puerto Rico.
- (F) The terms "import" and "importation" refer to importation for entry for consumption under the Customs laws of the United States.
- (G) The term "covered products" shall mean mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of the '376 patent and claims 1, 11, and 12 of the '146 patent.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of its principals, stockholders, officers, directors, employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned business entities, successors, and assigns, and to each of them, insofar as they are engaging in conduct prohibited by section III, *infra*, for, with, or otherwise on behalf of, Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order.

For the remaining term of the Asserted Patents, Respondent shall not:

- (A) import, sell for importation, or sell after importation into the United States covered products;
- (B) market, distribute, offer for sale, or otherwise transfer (except for exportation) imported covered products;

- (C) advertise imported covered products;
- (D) solicit U.S. agents or distributors for imported covered products; or
- (E) aid or abet other entities in the importation, sale for importation, sale after importation, transfer or distribution of covered products.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Asserted Patents licenses or authorizes such specific conduct, or such specific conduct is related to the importation or sale of covered products by or for the United States.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this order through June 30, 2018. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that it has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in U.S. dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in U.S. dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above and submit eight (8) true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the

Commission's Rules of Practice and Procedure (19 C.F.R. § 210.4(f)). Submissions should refer to the investigation number ("Inv. No. 337-TA-1028") in a prominent place on the cover pages and/or the first page. *See Handbook for Electronic Filing Procedures,*

http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.

Persons with questions regarding filing should contact the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, it must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainant's counsel.¹

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI. Record-Keeping and Inspection

(A) For the purpose of securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

(B) For the purposes of determining or securing compliance with this Order and for no other purpose, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in

¹ Complainant must file a letter with the Secretary identifying the attorney to receive reports and bond information associated with this Order. The designated attorney must be on the protective order entered in the investigation.

Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

VII. Service of Cease and Desist Order

Respondent is ordered and directed to:

(A) Serve, within fifteen (15) days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, or sale of imported covered products in the United States;

(B) Serve, within fifteen (15) days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of the Order upon each successor; and

(C) Maintain such records as will show the name, title, and address of each person upon whom the Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect until the date of expiration of the Asserted Patents.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to section VI of this order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by section III of this order may be continued during the sixty-day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 Fed. Reg. 43,251 (Jul. 21, 2005)), subject to Respondent's posting of a bond in the amount of one hundred (100) percent of the entered value of the covered products. This bond provision does not apply to conduct that is otherwise permitted by section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond as set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by complainants in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying

documentation are to be provided to and approved by the Commission prior to the commencement of conduct that is otherwise prohibited by section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and accompanying documentation on Complainant's counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

This bond is to be released in the event the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, upon service on Respondent of an order issued by the Commission based upon application therefore made by Respondent to the Commission.

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: February 22, 2018

² See Footnote 1.

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Cortney Hoecherl, Esq., and the following parties as indicated, on 2/22/2018



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

On Behalf of Complainant Nite Ize, Inc.:

James B. Altman, Esq.
FOSTER, MURPHY, ALTMAN & NICKEL, P.C.
1150 18th Street NW, Suite 775
Washington, DC 20036

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

Respondents:

REXS LLC
16192 Coastal Highway
Lewes, DE 19958

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

Shenzhen New Dream Technology Co., Ltd., d/b/a Newdreams,
Room 307, Haotai building Baomin Second
Road No. 1, Xixiang Street Bao'an,
Shenzhen, China, 518102

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

Wang Zhi Gang d/b/a IceFox,
Room 806, Ge Lin Wang Yuan YanNan Road,
Futian District
Shenzhen, China, 518000

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

CERTAIN MOBILE DEVICE HOLDERS AND COMPONENTS THEREOF

Inv. No. 337-TA-1028

Certificate of Service – Page 2

Shenzhen Topworld Technology Co. d/b/a IdeaPro,
Rm 603, 6/F Hang Pont Comm. Bldg. 31
Tonk In St., Cheung Sha Wan Kln, Hong Kong,
Hong Kong

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

Lin Zhen Mei d/b/a Anson
502, B Seat, 3 Building, Guandi Garden
Xian N7 area, Jiaan west Rd, Baoan Dist.
Shenzhen, Guangdong, China 518128

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

Wu Xuying d/b/a Novoland
No 2336 Nanhai Road, Nanshan District
Shenzhen, China, 518054

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

Trendbox USA LLC d/b/a Trendbox
16419 North 91st Street, Suite 125
Scottsdale, AZ 85260

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

Tontek d/b/a Shenzhen Hetongtai Electronics Co., Ltd.,
B1505, Niulanqian Bldg., Minzhi Street, Longhua New Area,
Shenzhen, Guangdong,
China, 518000

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

Scotabc d/b/a ShenChuang Opto-electronics Technology Co. Ltd.,
Rm. 1203A, Zhanyuan Business Bldg, No. 912 Meilong Rd.,
Longhua town, Longhua Dist. Shenzhen, Guangdong,
China, 068100

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

Tenswall d/b/a Shenzhen Tenswall
International Trading Co., Ltd.
14837 Proctor Ave. Ste. A,
La Puente, CA 91746

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

Luo Jieqiong d/b/a Wekin
Room 1602, Building 20, Hua Sheng Shi Ji
Xin Cheng Yu Hua Dist. Chang Sha,
China, 410100

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 3

Pecham d/b/a Baichen Technology Ltd.
Rm 20A, Kiu Fu Comm. Bldg. 300 Lockhart Rd.
Wan Chai, Hong Kong

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

Wang Guoxiang d/b/a Minse
Rm. 609, Block 2, Xinghu Garden No. 9, Jinbi Rd,
Luohu Dist. Shenzhen, Guangdong,
China 518028

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

Zhiping Zhou d/b/a Runshion
31F, Dong C, Jinganghuating, Baoandadao,
Baoanqu Shenzhenshi, Guangdong,
China, 518000

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

Oumeiou d/b/a Shenzhen Oumeiou Technology Co., Ltd.
F3 Comprehensive Bldg. of Nankeng 2nd Industrial Park,
Bantian Street, Longgang,
Shenzhen, China, 518112

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

Shenzhen Longwang Technology Co. Ltd. d/b/a LWANG
B21, 5/F, West of Bldg. 4, Seg Tech Park,
Huaqiang North Rd., Futian Dist., Shenzhen, Guangdong,
China, 518000

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

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC

In the Matter of

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT Trendbox USA LLC d/b/a Trendbox of 16419 North 91st Street, Suite 125, Scottsdale, Arizona 852600 cease and desist from conducting any of the following activities in the United States, including via the internet: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), soliciting United States agents or distributors, and aiding or abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of United States Patent No. 8,602,376 (“the ’376 patent”) and claims 1, 11, and 12 of United States Patent No. 8,870,146 (“the ’146 patent”) (collectively, the “Asserted Patents”), in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

I. Definitions

As used in this order:

- (A) “Commission” shall mean the United States International Trade Commission.
- (B) “Complainant” shall mean Nite Ize, Inc. of Boulder, Colorado.
- (C) “Respondent” shall mean Trendbox USA LLC d/b/a Trendbox.

- (D) “Person” shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or its majority-owned or controlled subsidiaries, successors, or assigns.
- (E) “United States” shall mean the fifty States, the District of Columbia, and Puerto Rico.
- (F) The terms “import” and “importation” refer to importation for entry for consumption under the Customs laws of the United States.
- (G) The term “covered products” shall mean mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of the ’376 patent and claims 1, 11, and 12 of the ’146 patent.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of its principals, stockholders, officers, directors, employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned business entities, successors, and assigns, and to each of them, insofar as they are engaging in conduct prohibited by section III, *infra*, for, with, or otherwise on behalf of, Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order.

For the remaining term of the Asserted Patents, Respondent shall not:

- (A) import, sell for importation, or sell after importation into the United States covered products;
- (B) market, distribute, offer for sale, or otherwise transfer (except for exportation) imported covered products;

- (C) advertise imported covered products;
- (D) solicit U.S. agents or distributors for imported covered products; or
- (E) aid or abet other entities in the importation, sale for importation, sale after importation, transfer or distribution of covered products.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Asserted Patents licenses or authorizes such specific conduct, or such specific conduct is related to the importation or sale of covered products by or for the United States.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this order through June 30, 2018. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that it has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in U.S. dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in U.S. dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above and submit eight (8) true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the

Commission's Rules of Practice and Procedure (19 C.F.R. § 210.4(f)). Submissions should refer to the investigation number ("Inv. No. 337-TA-1028") in a prominent place on the cover pages and/or the first page. *See Handbook for Electronic Filing Procedures,*

http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.

Persons with questions regarding filing should contact the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, it must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainant's counsel.¹

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI. Record-Keeping and Inspection

(A) For the purpose of securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

(B) For the purposes of determining or securing compliance with this Order and for no other purpose, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in

¹ Complainant must file a letter with the Secretary identifying the attorney to receive reports and bond information associated with this Order. The designated attorney must be on the protective order entered in the investigation.

Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

VII. Service of Cease and Desist Order

Respondent is ordered and directed to:

(A) Serve, within fifteen (15) days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, or sale of imported covered products in the United States;

(B) Serve, within fifteen (15) days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of the Order upon each successor; and

(C) Maintain such records as will show the name, title, and address of each person upon whom the Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect until the date of expiration of the Asserted Patents.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to section VI of this order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by section III of this order may be continued during the sixty-day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 Fed. Reg. 43,251 (Jul. 21, 2005)), subject to Respondent's posting of a bond in the amount of one hundred (100) percent of the entered value of the covered products. This bond provision does not apply to conduct that is otherwise permitted by section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond as set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by complainants in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying

documentation are to be provided to and approved by the Commission prior to the commencement of conduct that is otherwise prohibited by section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and accompanying documentation on Complainant's counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

This bond is to be released in the event the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, upon service on Respondent of an order issued by the Commission based upon application therefore made by Respondent to the Commission.

By order of the Commission.



Lisa R. Barton
Office of the Secretary

Issued: February 22, 2018

² See Footnote 1.

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Cortney Hoecherl, Esq., and the following parties as indicated, on 2/22/2018



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

On Behalf of Complainant Nite Ize, Inc.:

James B. Altman, Esq.
FOSTER, MURPHY, ALTMAN & NICKEL, P.C.
1150 18th Street NW, Suite 775
Washington, DC 20036

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

Respondents:

REXS LLC
16192 Coastal Highway
Lewes, DE 19958

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

Shenzhen New Dream Technology Co., Ltd., d/b/a Newdreams,
Room 307, Haotai building Baomin Second
Road No. 1, Xixiang Street Bao'an,
Shenzhen, China, 518102

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

Wang Zhi Gang d/b/a IceFox,
Room 806, Ge Lin Wang Yuan YanNan Road,
Futian District
Shenzhen, China, 518000

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 2

Shenzhen Topworld Technology Co. d/b/a IdeaPro,
Rm 603, 6/F Hang Pont Comm. Bldg. 31
Tonk In St., Cheung Sha Wan Kln, Hong Kong,
Hong Kong

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

Lin Zhen Mei d/b/a Anson
502, B Seat, 3 Building, Guandi Garden
Xian N7 area, Jiaan west Rd, Baoan Dist.
Shenzhen, Guangdong, China 518128

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

Wu Xuying d/b/a Novoland
No 2336 Nanhai Road, Nanshan District
Shenzhen, China, 518054

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

Trendbox USA LLC d/b/a Trendbox
16419 North 91st Street, Suite 125
Scottsdale, AZ 85260

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

Tontek d/b/a Shenzhen Hetongtai Electronics Co., Ltd.,
B1505, Niulanqian Bldg., Minzhi Street, Longhua New Area,
Shenzhen, Guangdong,
China, 518000

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

Scotabc d/b/a ShenChuang Opto-electronics Technology Co. Ltd.,
Rm. 1203A, Zhanyuan Business Bldg, No. 912 Meilong Rd.,
Longhua town, Longhua Dist. Shenzhen, Guangdong,
China, 068100

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

Tenswall d/b/a Shenzhen Tenswall
International Trading Co., Ltd.
14837 Proctor Ave. Ste. A,
La Puente, CA 91746

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

Luo Jieqiong d/b/a Wekin
Room 1602, Building 20, Hua Sheng Shi Ji
Xin Cheng Yu Hua Dist. Chang Sha,
China, 410100

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 3

Pecham d/b/a Baichen Technology Ltd.
Rm 20A, Kiu Fu Comm. Bldg. 300 Lockhart Rd.
Wan Chai, Hong Kong

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

Wang Guoxiang d/b/a Minse
Rm. 609, Block 2, Xinghu Garden No. 9, Jinbi Rd,
Luohu Dist. Shenzhen, Guangdong,
China 518028

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

Zhiping Zhou d/b/a Runshion
31F, Dong C, Jinganghuating, Baoandadao,
Baoanqu Shenzhenshi, Guangdong,
China, 518000

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

Oumeiou d/b/a Shenzhen Oumeiou Technology Co., Ltd.
F3 Comprehensive Bldg. of Nankeng 2nd Industrial Park,
Bantian Street, Longgang,
Shenzhen, China, 518112

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

Shenzhen Longwang Technology Co. Ltd. d/b/a LWANG
B21, 5/F, West of Bldg. 4, Seg Tech Park,
Huaqiang North Rd., Futian Dist., Shenzhen, Guangdong,
China, 518000

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

**UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC**

In the Matter of

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT Zhiping Zhou d/b/a Runshion of 31F, Dong C, Jinganghuating, Baoandadao, Baoanqu Shenzhenshi, Guangdong, China 518000 cease and desist from conducting any of the following activities in the United States, including via the internet: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), soliciting United States agents or distributors, and aiding or abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of United States Patent No. 8,602,376 (“the ’376 patent”) and claims 1, 11, and 12 of United States Patent No. 8,870,146 (“the ’146 patent”) (collectively, the “Asserted Patents”), in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

I. Definitions

As used in this order:

- (A) “Commission” shall mean the United States International Trade Commission.
- (B) “Complainant” shall mean Nite Ize, Inc. of Boulder, Colorado.
- (C) “Respondent” shall mean Zhiping Zhou d/b/a Runshion.

- (D) “Person” shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or its majority-owned or controlled subsidiaries, successors, or assigns.
- (E) “United States” shall mean the fifty States, the District of Columbia, and Puerto Rico.
- (F) The terms “import” and “importation” refer to importation for entry for consumption under the Customs laws of the United States.
- (G) The term “covered products” shall mean mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of the ’376 patent and claims 1, 11, and 12 of the ’146 patent.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of its principals, stockholders, officers, directors, employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned business entities, successors, and assigns, and to each of them, insofar as they are engaging in conduct prohibited by section III, *infra*, for, with, or otherwise on behalf of, Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order. For the remaining term of the Asserted Patents, Respondent shall not:

- (A) import, sell for importation, or sell after importation into the United States covered products;
- (B) market, distribute, offer for sale, or otherwise transfer (except for exportation) imported covered products;

- (C) advertise imported covered products;
- (D) solicit U.S. agents or distributors for imported covered products; or
- (E) aid or abet other entities in the importation, sale for importation, sale after importation, transfer or distribution of covered products.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Asserted Patents licenses or authorizes such specific conduct, or such specific conduct is related to the importation or sale of covered products by or for the United States.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this order through June 30, 2018. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that it has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in U.S. dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in U.S. dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above and submit eight (8) true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the

Commission's Rules of Practice and Procedure (19 C.F.R. § 210.4(f)). Submissions should refer to the investigation number ("Inv. No. 337-TA-1028") in a prominent place on the cover pages and/or the first page. *See Handbook for Electronic Filing Procedures,*

http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.

Persons with questions regarding filing should contact the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, it must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainant's counsel.¹

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI. Record-Keeping and Inspection

(A) For the purpose of securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

(B) For the purposes of determining or securing compliance with this Order and for no other purpose, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in

¹ Complainant must file a letter with the Secretary identifying the attorney to receive reports and bond information associated with this Order. The designated attorney must be on the protective order entered in the investigation.

Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

VII. Service of Cease and Desist Order

Respondent is ordered and directed to:

(A) Serve, within fifteen (15) days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, or sale of imported covered products in the United States;

(B) Serve, within fifteen (15) days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of the Order upon each successor; and

(C) Maintain such records as will show the name, title, and address of each person upon whom the Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect until the date of expiration of the Asserted Patents.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to section VI of this order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by section III of this order may be continued during the sixty-day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 Fed. Reg. 43,251 (Jul. 21, 2005)), subject to Respondent's posting of a bond in the amount of one hundred (100) percent of the entered value of the covered products. This bond provision does not apply to conduct that is otherwise permitted by section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond as set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by complainants in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying

documentation are to be provided to and approved by the Commission prior to the commencement of conduct that is otherwise prohibited by section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and accompanying documentation on Complainant's counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

This bond is to be released in the event the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, upon service on Respondent of an order issued by the Commission based upon application therefore made by Respondent to the Commission.

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: February 22, 2018

² See Footnote 1.

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Cortney Hoecherl, Esq., and the following parties as indicated, on 2/22/2018



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

On Behalf of Complainant Nite Ize, Inc.:

James B. Altman, Esq.
FOSTER, MURPHY, ALTMAN & NICKEL, P.C.
1150 18th Street NW, Suite 775
Washington, DC 20036

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

Respondents:

REXS LLC
16192 Coastal Highway
Lewes, DE 19958

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

Shenzhen New Dream Technology Co., Ltd., d/b/a Newdreams,
Room 307, Haotai building Baomin Second
Road No. 1, Xixiang Street Bao'an,
Shenzhen, China, 518102

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

Wang Zhi Gang d/b/a IceFox,
Room 806, Ge Lin Wang Yuan YanNan Road,
Futian District
Shenzhen, China, 518000

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 2

Shenzhen Topworld Technology Co. d/b/a IdeaPro,
Rm 603, 6/F Hang Pont Comm. Bldg. 31
Tonk In St., Cheung Sha Wan Kln, Hong Kong,
Hong Kong

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

Lin Zhen Mei d/b/a Anson
502, B Seat, 3 Building, Guandi Garden
Xian N7 area, Jiaan west Rd, Baoan Dist.
Shenzhen, Guangdong, China 518128

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

Wu Xuying d/b/a Novoland
No 2336 Nanhai Road, Nanshan District
Shenzhen, China, 518054

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

Trendbox USA LLC d/b/a Trendbox
16419 North 91st Street, Suite 125
Scottsdale, AZ 85260

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

Tontek d/b/a Shenzhen Hetongtai Electronics Co., Ltd.,
B1505, Niulanqian Bldg., Minzhi Street, Longhua New Area,
Shenzhen, Guangdong,
China, 518000

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

Scotabc d/b/a ShenChuang Opto-electronics Technology Co. Ltd.,
Rm. 1203A, Zhanyuan Business Bldg, No. 912 Meilong Rd.,
Longhua town, Longhua Dist. Shenzhen, Guangdong,
China, 068100

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

Tenswall d/b/a Shenzhen Tenswall
International Trading Co., Ltd.
14837 Proctor Ave. Ste. A,
La Puente, CA 91746

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

Luo Jieqiong d/b/a Wekin
Room 1602, Building 20, Hua Sheng Shi Ji
Xin Cheng Yu Hua Dist. Chang Sha,
China, 410100

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 3

Pecham d/b/a Baichen Technology Ltd.
Rm 20A, Kiu Fu Comm. Bldg. 300 Lockhart Rd.
Wan Chai, Hong Kong

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

Wang Guoxiang d/b/a Minse
Rm. 609, Block 2, Xinghu Garden No. 9, Jinbi Rd,
Luohu Dist. Shenzhen, Guangdong,
China 518028

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

Zhiping Zhou d/b/a Runshion
31F, Dong C, Jinganghuating, Baoandadao,
Baoanqu Shenzhenshi, Guangdong,
China, 518000

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

Oumeiou d/b/a Shenzhen Oumeiou Technology Co., Ltd.
F3 Comprehensive Bldg. of Nankeng 2nd Industrial Park,
Bantian Street, Longgang,
Shenzhen, China, 518112

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

Shenzhen Longwang Technology Co. Ltd. d/b/a LWANG
B21, 5/F, West of Bldg. 4, Seg Tech Park,
Huaqiang North Rd., Futian Dist., Shenzhen, Guangdong,
China, 518000

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

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC

In the Matter of

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT Luo Jieqiong d/b/a Wekin of Room 1602, Building 20, Hua Sheng Shi Ji Xin Cheng Yu Hua Dist. Chang Sha, China 410100 cease and desist from conducting any of the following activities in the United States, including via the internet: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), soliciting United States agents or distributors, and aiding or abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of United States Patent No. 8,602,376 (“the ’376 patent”) and claims 1, 11, and 12 of United States Patent No. 8,870,146 (“the ’146 patent”) (collectively, the “Asserted Patents”), in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

I. Definitions

As used in this order:

- (A) “Commission” shall mean the United States International Trade Commission.
- (B) “Complainant” shall mean Nite Ize, Inc. of Boulder, Colorado.
- (C) “Respondent” shall mean Luo Jieqiong d/b/a Wekin.

- (D) “Person” shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or its majority-owned or controlled subsidiaries, successors, or assigns.
- (E) “United States” shall mean the fifty States, the District of Columbia, and Puerto Rico.
- (F) The terms “import” and “importation” refer to importation for entry for consumption under the Customs laws of the United States.
- (G) The term “covered products” shall mean mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of the ’376 patent and claims 1, 11, and 12 of the ’146 patent.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of its principals, stockholders, officers, directors, employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned business entities, successors, and assigns, and to each of them, insofar as they are engaging in conduct prohibited by section III, *infra*, for, with, or otherwise on behalf of, Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order. For the remaining term of the Asserted Patents, Respondent shall not:

- (A) import, sell for importation, or sell after importation into the United States covered products;
- (B) market, distribute, offer for sale, or otherwise transfer (except for exportation) imported covered products;

- (C) advertise imported covered products;
- (D) solicit U.S. agents or distributors for imported covered products; or
- (E) aid or abet other entities in the importation, sale for importation, sale after importation, transfer or distribution of covered products.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Asserted Patents licenses or authorizes such specific conduct, or such specific conduct is related to the importation or sale of covered products by or for the United States.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this order through June 30, 2018. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that it has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in U.S. dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in U.S. dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above and submit eight (8) true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the

Commission's Rules of Practice and Procedure (19 C.F.R. § 210.4(f)). Submissions should refer to the investigation number ("Inv. No. 337-TA-1028") in a prominent place on the cover pages and/or the first page. *See Handbook for Electronic Filing Procedures,*

http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.

Persons with questions regarding filing should contact the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, it must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainant's counsel.¹

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI. Record-Keeping and Inspection

(A) For the purpose of securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

(B) For the purposes of determining or securing compliance with this Order and for no other purpose, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in

¹ Complainant must file a letter with the Secretary identifying the attorney to receive reports and bond information associated with this Order. The designated attorney must be on the protective order entered in the investigation.

Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

VII. Service of Cease and Desist Order

Respondent is ordered and directed to:

(A) Serve, within fifteen (15) days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, or sale of imported covered products in the United States;

(B) Serve, within fifteen (15) days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of the Order upon each successor; and

(C) Maintain such records as will show the name, title, and address of each person upon whom the Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect until the date of expiration of the Asserted Patents.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to section VI of this order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by section III of this order may be continued during the sixty-day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 Fed. Reg. 43,251 (Jul. 21, 2005)), subject to Respondent's posting of a bond in the amount of one hundred (100) percent of the entered value of the covered products. This bond provision does not apply to conduct that is otherwise permitted by section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond as set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by complainants in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying

documentation are to be provided to and approved by the Commission prior to the commencement of conduct that is otherwise prohibited by section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and accompanying documentation on Complainant's counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

This bond is to be released in the event the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, upon service on Respondent of an order issued by the Commission based upon application therefore made by Respondent to the Commission.

By order of the Commission.



Lisa R. Barton

Secretary to the Commission

Issued: February 22, 2018

² See Footnote 1.

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Cortney Hoecherl, Esq., and the following parties as indicated, on 2/22/2018



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

On Behalf of Complainant Nite Ize, Inc.:

James B. Altman, Esq.
FOSTER, MURPHY, ALTMAN & NICKEL, P.C.
1150 18th Street NW, Suite 775
Washington, DC 20036

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

Respondents:

REXS LLC
16192 Coastal Highway
Lewes, DE 19958

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

Shenzhen New Dream Technology Co., Ltd., d/b/a Newdreams,
Room 307, Haotai building Baomin Second
Road No. 1, Xixiang Street Bao'an,
Shenzhen, China, 518102

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

Wang Zhi Gang d/b/a IceFox,
Room 806, Ge Lin Wang Yuan YanNan Road,
Futian District
Shenzhen, China, 518000

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 2

Shenzhen Topworld Technology Co. d/b/a IdeaPro,
Rm 603, 6/F Hang Pont Comm. Bldg. 31
Tonk In St., Cheung Sha Wan Kln, Hong Kong,
Hong Kong

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

Lin Zhen Mei d/b/a Anson
502, B Seat, 3 Building, Guandi Garden
Xian N7 area, Jiaan west Rd, Baoan Dist.
Shenzhen, Guangdong, China 518128

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

Wu Xuying d/b/a Novoland
No 2336 Nanhai Road, Nanshan District
Shenzhen, China, 518054

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

Trendbox USA LLC d/b/a Trendbox
16419 North 91st Street, Suite 125
Scottsdale, AZ 85260

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

Tontek d/b/a Shenzhen Hetongtai Electronics Co., Ltd.,
B1505, Niulanqian Bldg., Minzhi Street, Longhua New Area,
Shenzhen, Guangdong,
China, 518000

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

Scotabc d/b/a ShenChuang Opto-electronics Technology Co. Ltd.,
Rm. 1203A, Zhanyuan Business Bldg, No. 912 Meilong Rd.,
Longhua town, Longhua Dist. Shenzhen, Guangdong,
China, 068100

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

Tenswall d/b/a Shenzhen Tenswall
International Trading Co., Ltd.
14837 Proctor Ave. Ste. A,
La Puente, CA 91746

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

Luo Jieqiong d/b/a Wekin
Room 1602, Building 20, Hua Sheng Shi Ji
Xin Cheng Yu Hua Dist. Chang Sha,
China, 410100

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 3

Pecham d/b/a Baichen Technology Ltd.
Rm 20A, Kiu Fu Comm. Bldg. 300 Lockhart Rd.
Wan Chai, Hong Kong

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

Wang Guoxiang d/b/a Minse
Rm. 609, Block 2, Xinghu Garden No. 9, Jinbi Rd,
Luohu Dist. Shenzhen, Guangdong,
China 518028

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

Zhiping Zhou d/b/a Runshion
31F, Dong C, Jinganghuating, Baoandadao,
Baoanqu Shenzhenshi, Guangdong,
China, 518000

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

Oumeiou d/b/a Shenzhen Oumeiou Technology Co., Ltd.
F3 Comprehensive Bldg. of Nankeng 2nd Industrial Park,
Bantian Street, Longgang,
Shenzhen, China, 518112

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

Shenzhen Longwang Technology Co. Ltd. d/b/a LWANG
B21, 5/F, West of Bldg. 4, Seg Tech Park,
Huaqiang North Rd., Futian Dist., Shenzhen, Guangdong,
China, 518000

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

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC

In the Matter of

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT Wang Zhi Gang d/b/a IceFox of Room 806, Ge Lin Wang Yuan YanNan Road, Futian District, Shenzhen, China 518000 cease and desist from conducting any of the following activities in the United States, including via the internet: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), soliciting United States agents or distributors, and aiding or abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of United States Patent No. 8,602,376 (“the ’376 patent”) and claims 1, 11, and 12 of United States Patent No. 8,870,146 (“the ’146 patent”) (collectively, the “Asserted Patents”), in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

I. Definitions

As used in this order:

- (A) “Commission” shall mean the United States International Trade Commission.
- (B) “Complainant” shall mean Nite Ize, Inc. of Boulder, Colorado.
- (C) “Respondent” shall mean Wang Zhi Gang d/b/a IceFox.

- (D) “Person” shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or its majority-owned or controlled subsidiaries, successors, or assigns.
- (E) “United States” shall mean the fifty States, the District of Columbia, and Puerto Rico.
- (F) The terms “import” and “importation” refer to importation for entry for consumption under the Customs laws of the United States.
- (G) The term “covered products” shall mean mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of the ’376 patent and claims 1, 11, and 12 of the ’146 patent.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of its principals, stockholders, officers, directors, employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned business entities, successors, and assigns, and to each of them, insofar as they are engaging in conduct prohibited by section III, *infra*, for, with, or otherwise on behalf of, Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order.

For the remaining term of the Asserted Patents, Respondent shall not:

- (A) import, sell for importation, or sell after importation into the United States covered products;
- (B) market, distribute, offer for sale, or otherwise transfer (except for exportation) imported covered products;

- (C) advertise imported covered products;
- (D) solicit U.S. agents or distributors for imported covered products; or
- (E) aid or abet other entities in the importation, sale for importation, sale after importation, transfer or distribution of covered products.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Asserted Patents licenses or authorizes such specific conduct, or such specific conduct is related to the importation or sale of covered products by or for the United States.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this order through June 30, 2018. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that it has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in U.S. dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in U.S. dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above and submit eight (8) true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the

Commission's Rules of Practice and Procedure (19 C.F.R. § 210.4(f)). Submissions should refer to the investigation number ("Inv. No. 337-TA-1028") in a prominent place on the cover pages and/or the first page. *See Handbook for Electronic Filing Procedures,*

http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.

Persons with questions regarding filing should contact the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, it must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainant's counsel.¹

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI. Record-Keeping and Inspection

(A) For the purpose of securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

(B) For the purposes of determining or securing compliance with this Order and for no other purpose, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in

¹ Complainant must file a letter with the Secretary identifying the attorney to receive reports and bond information associated with this Order. The designated attorney must be on the protective order entered in the investigation.

Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses; all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

VII. Service of Cease and Desist Order

Respondent is ordered and directed to:

(A) Serve, within fifteen (15) days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, or sale of imported covered products in the United States;

(B) Serve, within fifteen (15) days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of the Order upon each successor; and

(C) Maintain such records as will show the name, title, and address of each person upon whom the Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect until the date of expiration of the Asserted Patents.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to section VI of this order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by section III of this order may be continued during the sixty-day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 Fed. Reg. 43,251 (Jul. 21, 2005)), subject to Respondent's posting of a bond in the amount of one hundred (100) percent of the entered value of the covered products. This bond provision does not apply to conduct that is otherwise permitted by section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond as set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by complainants in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying

documentation are to be provided to and approved by the Commission prior to the commencement of conduct that is otherwise prohibited by section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and accompanying documentation on Complainant's counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

This bond is to be released in the event the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, upon service on Respondent of an order issued by the Commission based upon application therefore made by Respondent to the Commission.

By order of the Commission.



Lisa R. Barton

Secretary to the Commission

Issued: February 22, 2018

² See Footnote 1.

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Cortney Hoecherl, Esq., and the following parties as indicated, on 2/22/2018



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

On Behalf of Complainant Nite Ize, Inc.:

James B. Altman, Esq.
FOSTER, MURPHY, ALTMAN & NICKEL, P.C.
1150 18th Street NW, Suite 775
Washington, DC 20036

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

Respondents:

REXS LLC
16192 Coastal Highway
Lewes, DE 19958

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

Shenzhen New Dream Technology Co., Ltd., d/b/a Newdreams,
Room 307, Haotai building Baomin Second
Road No. 1, Xixiang Street Bao'an,
Shenzhen, China, 518102

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

Wang Zhi Gang d/b/a IceFox,
Room 806, Ge Lin Wang Yuan YanNan Road,
Futian District
Shenzhen, China, 518000

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

CERTAIN MOBILE DEVICE HOLDERS AND COMPONENTS THEREOF

Inv. No. 337-TA-1028

Certificate of Service – Page 2

Shenzhen Topworld Technology Co. d/b/a IdeaPro,
Rm 603, 6/F Hang Pont Comm. Bldg. 31
Tonk In St., Cheung Sha Wan Kln, Hong Kong,
Hong Kong

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

Lin Zhen Mei d/b/a Anson
502, B Seat, 3 Building, Guandi Garden
Xian N7 area, Jiaan west Rd, Baoan Dist.
Shenzhen, Guangdong, China 518128

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

Wu Xuying d/b/a Novoland
No 2336 Nanhai Road, Nanshan District
Shenzhen, China, 518054

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

Trendbox USA LLC d/b/a Trendbox
16419 North 91st Street, Suite 125
Scottsdale, AZ 85260

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

Tontek d/b/a Shenzhen Hetongtai Electronics Co., Ltd.,
B1505, Niulanqian Bldg., Minzhi Street, Longhua New Area,
Shenzhen, Guangdong,
China, 518000

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

Scotabc d/b/a ShenChuang Opto-electronics Technology Co. Ltd.,
Rm. 1203A, Zhanyuan Business Bldg, No. 912 Meilong Rd.,
Longhua town, Longhua Dist. Shenzhen, Guangdong,
China, 068100

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

Tenswall d/b/a Shenzhen Tenswall
International Trading Co., Ltd.
14837 Proctor Ave. Ste. A,
La Puente, CA 91746

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

Luo Jieqiong d/b/a Wekin
Room 1602, Building 20, Hua Sheng Shi Ji
Xin Cheng Yu Hua Dist. Chang Sha,
China, 410100

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 3

Pecham d/b/a Baichen Technology Ltd.
Rm 20A, Kiu Fu Comm. Bldg. 300 Lockhart Rd.
Wan Chai, Hong Kong

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

Wang Guoxiang d/b/a Minse
Rm. 609, Block 2, Xinghu Garden No. 9, Jinbi Rd,
Luohu Dist. Shenzhen, Guangdong,
China 518028

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

Zhiping Zhou d/b/a Runshion
31F, Dong C, Jinganghuating, Baoandadao,
Baoanqu Shenzhenshi, Guangdong,
China, 518000

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

Oumeiou d/b/a Shenzhen Oumeiou Technology Co., Ltd.
F3 Comprehensive Bldg. of Nankeng 2nd Industrial Park,
Bantian Street, Longgang,
Shenzhen, China, 518112

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

Shenzhen Longwang Technology Co. Ltd. d/b/a LWANG
B21, 5/F, West of Bldg. 4, Seg Tech Park,
Huaqiang North Rd., Futian Dist., Shenzhen, Guangdong,
China, 518000

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

**UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC**

In the Matter of

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT Pecham d/b/a Baichen Technology Ltd. of Rm 20A, Kiu Fu Comm. Bldg. 300 Lockhart Rd. Wan Chai, Hong Kong cease and desist from conducting any of the following activities in the United States, including via the internet: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), soliciting United States agents or distributors, and aiding or abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of United States Patent No. 8,602,376 (“the ’376 patent”) and claims 1, 11, and 12 of United States Patent No. 8,870,146 (“the ’146 patent”) (collectively, the “Asserted Patents”), in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

I. Definitions

As used in this order:

- (A) “Commission” shall mean the United States International Trade Commission.
- (B) “Complainant” shall mean Nite Ize, Inc. of Boulder, Colorado.
- (C) “Respondent” shall mean Pecham d/b/a Baichen Technology Ltd.

- (D) “Person” shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or its majority-owned or controlled subsidiaries, successors, or assigns.
- (E) “United States” shall mean the fifty States, the District of Columbia, and Puerto Rico.
- (F) The terms “import” and “importation” refer to importation for entry for consumption under the Customs laws of the United States.
- (G) The term “covered products” shall mean mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of the ’376 patent and claims 1, 11, and 12 of the ’146 patent.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of its principals, stockholders, officers, directors, employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned business entities, successors, and assigns, and to each of them, insofar as they are engaging in conduct prohibited by section III, *infra*, for, with, or otherwise on behalf of, Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order.

For the remaining term of the Asserted Patents, Respondent shall not:

- (A) import, sell for importation, or sell after importation into the United States covered products;
- (B) market, distribute, offer for sale, or otherwise transfer (except for exportation) imported covered products;

- (C) advertise imported covered products;
- (D) solicit U.S. agents or distributors for imported covered products; or
- (E) aid or abet other entities in the importation, sale for importation, sale after importation, transfer or distribution of covered products.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Asserted Patents licenses or authorizes such specific conduct, or such specific conduct is related to the importation or sale of covered products by or for the United States.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this order through June 30, 2018. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that it has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in U.S. dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in U.S. dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above and submit eight (8) true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the

Commission's Rules of Practice and Procedure (19 C.F.R. § 210.4(f)). Submissions should refer to the investigation number ("Inv. No. 337-TA-1028") in a prominent place on the cover pages and/or the first page. *See Handbook for Electronic Filing Procedures,*

http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.

Persons with questions regarding filing should contact the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, it must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainant's counsel.¹

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI. Record-Keeping and Inspection

(A) For the purpose of securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

(B) For the purposes of determining or securing compliance with this Order and for no other purpose, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in

¹ Complainant must file a letter with the Secretary identifying the attorney to receive reports and bond information associated with this Order. The designated attorney must be on the protective order entered in the investigation.

Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

VII. Service of Cease and Desist Order

Respondent is ordered and directed to:

(A) Serve, within fifteen (15) days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, or sale of imported covered products in the United States;

(B) Serve, within fifteen (15) days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of the Order upon each successor; and

(C) Maintain such records as will show the name, title, and address of each person upon whom the Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect until the date of expiration of the Asserted Patents.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to section VI of this order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by section III of this order may be continued during the sixty-day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 Fed. Reg. 43,251 (Jul. 21, 2005)), subject to Respondent's posting of a bond in the amount of one hundred (100) percent of the entered value of the covered products. This bond provision does not apply to conduct that is otherwise permitted by section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond as set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by complainants in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying

documentation are to be provided to and approved by the Commission prior to the commencement of conduct that is otherwise prohibited by section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and accompanying documentation on Complainant's counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

This bond is to be released in the event the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, upon service on Respondent of an order issued by the Commission based upon application therefore made by Respondent to the Commission.

By order of the Commission.



Lisa R. Barton

Secretary to the Commission

Issued: February 22, 2018

² See Footnote 1.

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Cortney Hoecherl, Esq., and the following parties as indicated, on 2/22/2018



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

On Behalf of Complainant Nite Ize, Inc.:

James B. Altman, Esq.
FOSTER, MURPHY, ALTMAN & NICKEL, P.C.
1150 18th Street NW, Suite 775
Washington, DC 20036

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

Respondents:

REXS LLC
16192 Coastal Highway
Lewes, DE 19958

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

Shenzhen New Dream Technology Co., Ltd., d/b/a Newdreams,
Room 307, Haotai building Baomin Second
Road No. 1, Xixiang Street Bao'an,
Shenzhen, China, 518102

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

Wang Zhi Gang d/b/a IceFox,
Room 806, Ge Lin Wang Yuan YanNan Road,
Futian District
Shenzhen, China, 518000

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

CERTAIN MOBILE DEVICE HOLDERS AND COMPONENTS THEREOF

Inv. No. 337-TA-1028

Certificate of Service – Page 2

Shenzhen Topworld Technology Co. d/b/a IdeaPro,
Rm 603, 6/F Hang Pont Comm. Bldg. 31
Tonk In St., Cheung Sha Wan Kln, Hong Kong,
Hong Kong

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

Lin Zhen Mei d/b/a Anson
502, B Seat, 3 Building, Guandi Garden
Xian N7 area, Jiaan west Rd, Baoan Dist.
Shenzhen, Guangdong, China 518128

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

Wu Xuying d/b/a Novoland
No 2336 Nanhai Road, Nanshan District
Shenzhen, China, 518054

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

Trendbox USA LLC d/b/a Trendbox
16419 North 91st Street, Suite 125
Scottsdale, AZ 85260

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

Tontek d/b/a Shenzhen Hetongtai Electronics Co., Ltd.,
B1505, Niulanqian Bldg., Minzhi Street, Longhua New Area,
Shenzhen, Guangdong,
China, 518000

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

Scotabc d/b/a ShenChuang Opto-electronics Technology Co. Ltd.,
Rm. 1203A, Zhanyuan Business Bldg, No. 912 Meilong Rd.,
Longhua town, Longhua Dist. Shenzhen, Guangdong,
China, 068100

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

Tenswall d/b/a Shenzhen Tenswall
International Trading Co., Ltd.
14837 Proctor Ave. Ste. A,
La Puente, CA 91746

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

Luo Jieqiong d/b/a Wekin
Room 1602, Building 20, Hua Sheng Shi Ji
Xin Cheng Yu Hua Dist. Chang Sha,
China, 410100

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 3

Pecham d/b/a Baichen Technology Ltd.
Rm 20A, Kiu Fu Comm. Bldg. 300 Lockhart Rd.
Wan Chai, Hong Kong

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

Wang Guoxiang d/b/a Minse
Rm. 609, Block 2, Xinghu Garden No. 9, Jinbi Rd,
Luohu Dist. Shenzhen, Guangdong,
China 518028

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

Zhiping Zhou d/b/a Runshion
31F, Dong C, Jinganghuating, Baoandadao,
Baoanqu Shenzhenshi, Guangdong,
China, 518000

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

Oumeiou d/b/a Shenzhen Oumeiou Technology Co., Ltd.
F3 Comprehensive Bldg. of Nankeng 2nd Industrial Park,
Bantian Street, Longgang,
Shenzhen, China, 518112

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

Shenzhen Longwang Technology Co. Ltd. d/b/a LWANG
B21, 5/F, West of Bldg. 4, Seg Tech Park,
Huaqiang North Rd., Futian Dist., Shenzhen, Guangdong,
China, 518000

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

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC

In the Matter of

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT Lin Zhen Mei d/b/a Anson of 502, B Seat, 3 Building, Guandi Garden Xian N7 area, Jiaan west Rd, Baoan Dist. Shenzhen, Guangdong, China 518128 cease and desist from conducting any of the following activities in the United States, including via the internet: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), soliciting United States agents or distributors, and aiding or abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of United States Patent No. 8,602,376 (“the ’376 patent”) and claims 1, 11, and 12 of United States Patent No. 8,870,146 (“the ’146 patent”) (collectively, the “Asserted Patents”), in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

I. Definitions

As used in this order:

- (A) “Commission” shall mean the United States International Trade Commission.
- (B) “Complainant” shall mean Nite Ize, Inc. of Boulder, Colorado.
- (C) “Respondent” shall mean Lin Zhen Mei d/b/a Anson.

- (D) “Person” shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or its majority-owned or controlled subsidiaries, successors, or assigns.
- (E) “United States” shall mean the fifty States, the District of Columbia, and Puerto Rico.
- (F) The terms “import” and “importation” refer to importation for entry for consumption under the Customs laws of the United States.
- (G) The term “covered products” shall mean mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of the ’376 patent and claims 1, 11, and 12 of the ’146 patent.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of its principals, stockholders, officers, directors, employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned business entities, successors, and assigns, and to each of them, insofar as they are engaging in conduct prohibited by section III, *infra*, for, with, or otherwise on behalf of, Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order. For the remaining term of the Asserted Patents, Respondent shall not:

- (A) import, sell for importation, or sell after importation into the United States covered products;
- (B) market, distribute, offer for sale, or otherwise transfer (except for exportation) imported covered products;

- (C) advertise imported covered products;
- (D) solicit U.S. agents or distributors for imported covered products; or
- (E) aid or abet other entities in the importation, sale for importation, sale after importation, transfer or distribution of covered products.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Asserted Patents licenses or authorizes such specific conduct, or such specific conduct is related to the importation or sale of covered products by or for the United States.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this order through June 30, 2018. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that it has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in U.S. dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in U.S. dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above and submit eight (8) true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the

Commission's Rules of Practice and Procedure (19 C.F.R. § 210.4(f)). Submissions should refer to the investigation number ("Inv. No. 337-TA-1028") in a prominent place on the cover pages and/or the first page. *See Handbook for Electronic Filing Procedures,*

http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.

Persons with questions regarding filing should contact the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, it must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainant's counsel.¹

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI. Record-Keeping and Inspection

(A) For the purpose of securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

(B) For the purposes of determining or securing compliance with this Order and for no other purpose, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in

¹ Complainant must file a letter with the Secretary identifying the attorney to receive reports and bond information associated with this Order. The designated attorney must be on the protective order entered in the investigation.

Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

VII. Service of Cease and Desist Order

Respondent is ordered and directed to:

(A) Serve, within fifteen (15) days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, or sale of imported covered products in the United States;

(B) Serve, within fifteen (15) days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of the Order upon each successor; and

(C) Maintain such records as will show the name, title, and address of each person upon whom the Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect until the date of expiration of the Asserted Patents.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to section VI of this order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by section III of this order may be continued during the sixty-day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 Fed. Reg. 43,251 (Jul. 21, 2005)), subject to Respondent's posting of a bond in the amount of one hundred (100) percent of the entered value of the covered products. This bond provision does not apply to conduct that is otherwise permitted by section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond as set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by complainants in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying

documentation are to be provided to and approved by the Commission prior to the commencement of conduct that is otherwise prohibited by section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and accompanying documentation on Complainant's counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

This bond is to be released in the event the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, upon service on Respondent of an order issued by the Commission based upon application therefore made by Respondent to the Commission.

By order of the Commission:



Lisa R. Barton

Secretary to the Commission

Issued: February 22, 2018

² See Footnote 1.

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Cortney Hoecherl, Esq., and the following parties as indicated, on 2/22/2018



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

On Behalf of Complainant Nite Ize, Inc.:

James B. Altman, Esq.
FOSTER, MURPHY, ALTMAN & NICKEL, P.C.
1150 18th Street NW, Suite 775
Washington, DC 20036

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

Respondents:

REXS LLC
16192 Coastal Highway
Lewes, DE 19958

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

Shenzhen New Dream Technology Co., Ltd., d/b/a Newdreams,
Room 307, Haotai building Baomin Second
Road No. 1, Xixiang Street Bao'an,
Shenzhen, China, 518102

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

Wang Zhi Gang d/b/a IceFox,
Room 806, Ge Lin Wang Yuan YanNan Road,
Futian District
Shenzhen, China, 518000

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

CERTAIN MOBILE DEVICE HOLDERS AND COMPONENTS THEREOF

Inv. No. 337-TA-1028

Certificate of Service – Page 2

Shenzhen Topworld Technology Co. d/b/a IdeaPro,
Rm 603, 6/F Hang Pont Comm. Bldg. 31
Tonk In St., Cheung Sha Wan Kln, Hong Kong,
Hong Kong

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

Lin Zhen Mei d/b/a Anson
502, B Seat, 3 Building, Guandi Garden
Xian N7 area, Jiaan west Rd, Baoan Dist.
Shenzhen, Guangdong, China 518128

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

Wu Xuying d/b/a Novoland
No 2336 Nanhai Road, Nanshan District
Shenzhen, China, 518054

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

Trendbox USA LLC d/b/a Trendbox
16419 North 91st Street, Suite 125
Scottsdale, AZ 85260

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

Tontek d/b/a Shenzhen Hetongtai Electronics Co., Ltd.,
B1505, Niulanqian Bldg., Minzhi Street, Longhua New Area,
Shenzhen, Guangdong,
China, 518000

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

Scotabc d/b/a ShenChuang Opto-electronics Technology Co. Ltd.,
Rm. 1203A, Zhanyuan Business Bldg, No. 912 Meilong Rd.,
Longhua town, Longhua Dist. Shenzhen, Guangdong,
China, 068100

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

Tenswall d/b/a Shenzhen Tenswall
International Trading Co., Ltd.
14837 Proctor Ave. Ste. A,
La Puente, CA 91746

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

Luo Jieqiong d/b/a Wekin
Room 1602, Building 20, Hua Sheng Shi Ji
Xin Cheng Yu Hua Dist. Chang Sha,
China, 410100

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 3

Pecham d/b/a Baichen Technology Ltd.
Rm 20A, Kiu Fu Comm. Bldg. 300 Lockhart Rd.
Wan Chai, Hong Kong

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

Wang Guoxiang d/b/a Minse
Rm. 609, Block 2, Xinghu Garden No. 9, Jinbi Rd.
Luohu Dist. Shenzhen, Guangdong,
China 518028

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

Zhiping Zhou d/b/a Runshion
31F, Dong C, Jinganghuating, Baoandadao,
Baoanqu Shenzhenshi, Guangdong,
China, 518000

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

Oumeiou d/b/a Shenzhen Oumeiou Technology Co., Ltd.
F3 Comprehensive Bldg. of Nankeng 2nd Industrial Park,
Bantian Street, Longgang,
Shenzhen, China, 518112

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

Shenzhen Longwang Technology Co. Ltd. d/b/a LWANG
B21, 5/F, West of Bldg. 4, Seg Tech Park,
Huaqiang North Rd., Futian Dist., Shenzhen, Guangdong,
China, 518000

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

**UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC**

In the Matter of

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT Oumeiou d/b/a Shenzhen Oumeiou Technology Co., Ltd of F3 Comprehensive Bldg. of Nankeng 2nd Industrial Park, Bantian Street, Longgang, Shenzhen, China 518112 cease and desist from conducting any of the following activities in the United States, including via the internet: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), soliciting United States agents or distributors, and aiding or abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of United States Patent No. 8,602,376 (“the ’376 patent”) and claims 1, 11, and 12 of United States Patent No. 8,870,146 (“the ’146 patent”) (collectively, the “Asserted Patents”), in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

I. Definitions

As used in this order:

- (A) “Commission” shall mean the United States International Trade Commission.
- (B) “Complainant” shall mean Nite Ize, Inc. of Boulder, Colorado.
- (C) “Respondent” shall mean Oumeiou d/b/a Shenzhen Oumeiou Technology Co., Ltd.

- (D) “Person” shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or its majority-owned or controlled subsidiaries, successors, or assigns.
- (E) “United States” shall mean the fifty States, the District of Columbia, and Puerto Rico.
- (F) The terms “import” and “importation” refer to importation for entry for consumption under the Customs laws of the United States.
- (G) The term “covered products” shall mean mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of the ’376 patent and claims 1, 11, and 12 of the ’146 patent.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of its principals, stockholders, officers, directors, employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned business entities, successors, and assigns, and to each of them, insofar as they are engaging in conduct prohibited by section III, *infra*, for, with, or otherwise on behalf of, Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order.

For the remaining term of the Asserted Patents, Respondent shall not:

- (A) import, sell for importation, or sell after importation into the United States covered products;
- (B) market, distribute, offer for sale, or otherwise transfer (except for exportation) imported covered products;

- (C) advertise imported covered products;
- (D) solicit U.S. agents or distributors for imported covered products; or
- (E) aid or abet other entities in the importation, sale for importation, sale after importation, transfer or distribution of covered products.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Asserted Patents licenses or authorizes such specific conduct, or such specific conduct is related to the importation or sale of covered products by or for the United States.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this order through June 30, 2018. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that it has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in U.S. dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in U.S. dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above and submit eight (8) true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the

Commission's Rules of Practice and Procedure (19 C.F.R. § 210.4(f)). Submissions should refer to the investigation number ("Inv. No. 337-TA-1028") in a prominent place on the cover pages and/or the first page. *See Handbook for Electronic Filing Procedures,*

http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.

Persons with questions regarding filing should contact the Secretary (202-205-2000). If

Respondent desires to submit a document to the Commission in confidence, it must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainant's counsel.¹

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI. Record-Keeping and Inspection

(A) For the purpose of securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

(B) For the purposes of determining or securing compliance with this Order and for no other purpose, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in

¹ Complainant must file a letter with the Secretary identifying the attorney to receive reports and bond information associated with this Order. The designated attorney must be on the protective order entered in the investigation.

Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

VII. Service of Cease and Desist Order

Respondent is ordered and directed to:

(A) Serve, within fifteen (15) days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, or sale of imported covered products in the United States;

(B) Serve, within fifteen (15) days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of the Order upon each successor; and

(C) Maintain such records as will show the name, title, and address of each person upon whom the Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect until the date of expiration of the Asserted Patents.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to section VI of this order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by section III of this order may be continued during the sixty-day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 Fed. Reg. 43,251 (Jul. 21, 2005)), subject to Respondent's posting of a bond in the amount of one hundred (100) percent of the entered value of the covered products. This bond provision does not apply to conduct that is otherwise permitted by section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond as set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by complainants in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying

documentation are to be provided to and approved by the Commission prior to the commencement of conduct that is otherwise prohibited by section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and accompanying documentation on Complainant's counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

This bond is to be released in the event the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, upon service on Respondent of an order issued by the Commission based upon application therefore made by Respondent to the Commission.

By order of the Commission.



Lisa R. Barton

Secretary to the Commission

Issued: February 22, 2018

² See Footnote 1.

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Cortney Hoecherl, Esq., and the following parties as indicated, on 2/22/2018



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

On Behalf of Complainant Nite Ize, Inc.:

James B. Altman, Esq.
FOSTER, MURPHY, ALTMAN & NICKEL, P.C.
1150 18th Street NW, Suite 775
Washington, DC 20036

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

Respondents:

REXS LLC
16192 Coastal Highway
Lewes, DE 19958

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

Shenzhen New Dream Technology Co., Ltd., d/b/a Newdreams,
Room 307, Haotai building Baomin Second
Road No. 1, Xixiang Street Bao'an,
Shenzhen, China, 518102

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

Wang Zhi Gang d/b/a IceFox,
Room 806, Ge Lin Wang Yuan YanNan Road,
Futian District
Shenzhen, China, 518000

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

CERTAIN MOBILE DEVICE HOLDERS AND COMPONENTS THEREOF

Inv. No. 337-TA-1028

Certificate of Service – Page 2

Shenzhen Topworld Technology Co. d/b/a IdeaPro,
Rm 603, 6/F Hang Pont Comm. Bldg. 31
Tonk In St., Cheung Sha Wan Kln, Hong Kong,
Hong Kong

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

Lin Zhen Mei d/b/a Anson
502, B Seat, 3 Building, Guandi Garden
Xian N7 area, Jiaan west Rd, Baoan Dist.
Shenzhen, Guangdong, China 518128

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

Wu Xuying d/b/a Novoland
No 2336 Nanhai Road, Nanshan District
Shenzhen, China, 518054

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

Trendbox USA LLC d/b/a Trendbox
16419 North 91st Street, Suite 125
Scottsdale, AZ 85260

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

Tontek d/b/a Shenzhen Hetongtai Electronics Co., Ltd.,
B1505, Niulanqian Bldg., Minzhi Street, Longhua New Area,
Shenzhen, Guangdong,
China, 518000

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

Scotabc d/b/a ShenChuang Opto-electronics Technology Co. Ltd.,
Rm. 1203A, Zhanyuan Business Bldg, No. 912 Meilong Rd.,
Longhua town, Longhua Dist. Shenzhen, Guangdong,
China, 068100

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

Tenswall d/b/a Shenzhen Tenswall
International Trading Co., Ltd.
14837 Proctor Ave. Ste. A,
La Puente, CA 91746

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

Luo Jieqiong d/b/a Wekin
Room 1602, Building 20, Hua Sheng Shi Ji
Xin Cheng Yu Hua Dist. Chang Sha,
China, 410100

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 3

Pecham d/b/a Baichen Technology Ltd.
Rm 20A, Kiu Fu Comm. Bldg. 300 Lockhart Rd.
Wan Chai, Hong Kong

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

Wang Guoxiang d/b/a Minse
Rm. 609, Block 2, Xinghu Garden No. 9, Jinbi Rd,
Luohu Dist. Shenzhen, Guangdong,
China 518028

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

Zhiping Zhou d/b/a Runshion
31F, Dong C, Jinganghuating, Baoandadao,
Baoanqu Shenzhenshi, Guangdong,
China, 518000

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

Oumeiou d/b/a Shenzhen Oumeiou Technology Co., Ltd.
F3 Comprehensive Bldg. of Nankeng 2nd Industrial Park,
Bantian Street, Longgang,
Shenzhen, China, 518112

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

Shenzhen Longwang Technology Co. Ltd. d/b/a LWANG
B21, 5/F, West of Bldg. 4, Seg Tech Park,
Huaqiang North Rd., Futian Dist., Shenzhen, Guangdong,
China, 518000

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

**UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC**

In the Matter of

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT Wu Xuying d/b/a Novoland of No. 2336 Nanhai Road, Nanshan District, Shenzhen, China 518054 cease and desist from conducting any of the following activities in the United States, including via the internet: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), soliciting United States agents or distributors, and aiding or abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of United States Patent No. 8,602,376 (“the ’376 patent”) and claims 1, 11, and 12 of United States Patent No. 8,870,146 (“the ’146 patent”) (collectively, the “Asserted Patents”), in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

I. Definitions

As used in this order:

- (A) “Commission” shall mean the United States International Trade Commission.
- (B) “Complainant” shall mean Nite Ize, Inc. of Boulder, Colorado.
- (C) “Respondent” shall mean Wu Xuying d/b/a Novoland.

- (D) “Person” shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or its majority-owned or controlled subsidiaries, successors, or assigns.
- (E) “United States” shall mean the fifty States, the District of Columbia, and Puerto Rico.
- (F) The terms “import” and “importation” refer to importation for entry for consumption under the Customs laws of the United States.
- (G) The term “covered products” shall mean mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of the ’376 patent and claims 1, 11, and 12 of the ’146 patent.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of its principals, stockholders, officers, directors, employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned business entities, successors, and assigns, and to each of them, insofar as they are engaging in conduct prohibited by section III, *infra*, for, with, or otherwise on behalf of, Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order.

For the remaining term of the Asserted Patents, Respondent shall not:

- (A) import, sell for importation, or sell after importation into the United States covered products;
- (B) market, distribute, offer for sale, or otherwise transfer (except for exportation) imported covered products;

- (C) advertise imported covered products;
- (D) solicit U.S. agents or distributors for imported covered products; or
- (E) aid or abet other entities in the importation, sale for importation, sale after importation, transfer or distribution of covered products.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Asserted Patents licenses or authorizes such specific conduct, or such specific conduct is related to the importation or sale of covered products by or for the United States.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this order through June 30, 2018. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that it has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in U.S. dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in U.S. dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above and submit eight (8) true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the

Commission's Rules of Practice and Procedure (19 C.F.R. § 210.4(f)). Submissions should refer to the investigation number ("Inv. No. 337-TA-1028") in a prominent place on the cover pages and/or the first page. See Handbook for Electronic Filing Procedures,

http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.

Persons with questions regarding filing should contact the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, it must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainant's counsel.¹

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI. Record-Keeping and Inspection

(A) For the purpose of securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

(B) For the purposes of determining or securing compliance with this Order and for no other purpose, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in

¹ Complainant must file a letter with the Secretary identifying the attorney to receive reports and bond information associated with this Order. The designated attorney must be on the protective order entered in the investigation.

Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

VII. Service of Cease and Desist Order

Respondent is ordered and directed to:

(A) Serve, within fifteen (15) days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, or sale of imported covered products in the United States;

(B) Serve, within fifteen (15) days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of the Order upon each successor; and

(C) Maintain such records as will show the name, title, and address of each person upon whom the Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect until the date of expiration of the Asserted Patents.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to section VI of this order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by section III of this order may be continued during the sixty-day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 Fed. Reg. 43,251 (Jul. 21, 2005)), subject to Respondent's posting of a bond in the amount of one hundred (100) percent of the entered value of the covered products. This bond provision does not apply to conduct that is otherwise permitted by section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond as set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by complainants in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying

documentation are to be provided to and approved by the Commission prior to the commencement of conduct that is otherwise prohibited by section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and accompanying documentation on Complainant's counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

This bond is to be released in the event the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, upon service on Respondent of an order issued by the Commission based upon application therefore made by Respondent to the Commission.

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: February 22, 2018

² See Footnote 1.

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Cortney Hoecherl, Esq., and the following parties as indicated, on 2/22/2018



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

On Behalf of Complainant Nite Ize, Inc.:

James B. Altman, Esq.
FOSTER, MURPHY, ALTMAN & NICKEL, P.C.
1150 18th Street NW, Suite 775
Washington, DC 20036

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

Respondents:

REXS LLC
16192 Coastal Highway
Lewes, DE 19958

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

Shenzhen New Dream Technology Co., Ltd., d/b/a Newdreams,
Room 307, Haotai building Baomin Second
Road No. 1, Xixiang Street Bao'an,
Shenzhen, China, 518102

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

Wang Zhi Gang d/b/a IceFox,
Room 806, Ge Lin Wang Yuan YanNan Road,
Futian District
Shenzhen, China, 518000

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

CERTAIN MOBILE DEVICE HOLDERS AND COMPONENTS THEREOF

Inv. No. 337-TA-1028

Certificate of Service – Page 2

Shenzhen Topworld Technology Co. d/b/a IdeaPro,
Rm 603, 6/F Hang Pont Comm. Bldg. 31
Tonk In St., Cheung Sha Wan Kln, Hong Kong,
Hong Kong

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

Lin Zhen Mei d/b/a Anson
502, B Seat, 3 Building, Guandi Garden
Xian N7 area, Jiaan west Rd, Baoan Dist.
Shenzhen, Guangdong, China 518128

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

Wu Xuying d/b/a Novoland
No 2336 Nanhai Road, Nanshan District
Shenzhen, China, 518054

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

Trendbox USA LLC d/b/a Trendbox
16419 North 91st Street, Suite 125
Scottsdale, AZ 85260

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

Tontek d/b/a Shenzhen Hetongtai Electronics Co., Ltd.,
B1505, Niulanqian Bldg., Minzhi Street, Longhua New Area,
Shenzhen, Guangdong,
China, 518000

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

Scotabc d/b/a ShenChuang Opto-electronics Technology Co. Ltd.,
Rm. 1203A, Zhanyuan Business Bldg, No. 912 Meilong Rd.,
Longhua town, Longhua Dist. Shenzhen, Guangdong,
China, 068100

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

Tenswall d/b/a Shenzhen Tenswall
International Trading Co., Ltd.
14837 Proctor Ave. Ste. A,
La Puente, CA 91746

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

Luo Jieqiong d/b/a Wekin
Room 1602, Building 20, Hua Sheng Shi Ji
Xin Cheng Yu Hua Dist. Chang Sha,
China, 410100

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 3

Pecham d/b/a Baichen Technology Ltd.
Rm 20A, Kiu Fu Comm. Bldg. 300 Lockhart Rd.
Wan Chai, Hong Kong

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

Wang Guoxiang d/b/a Minse
Rm. 609, Block 2, Xinghu Garden No. 9, Jinbi Rd,
Luohu Dist. Shenzhen, Guangdong,
China 518028

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

Zhiping Zhou d/b/a Runshion
31F, Dong C, Jinganghuating, Baoandadao,
Baoanqu Shenzhenshi, Guangdong,
China, 518000

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

Oumeiou d/b/a Shenzhen Oumeiou Technology Co., Ltd.
F3 Comprehensive Bldg. of Nankeng 2nd Industrial Park,
Bantian Street, Longgang,
Shenzhen, China, 518112

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

Shenzhen Longwang Technology Co. Ltd. d/b/a LWANG
B21, 5/F, West of Bldg. 4, Seg Tech Park,
Huaqiang North Rd., Futian Dist., Shenzhen, Guangdong,
China, 518000

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

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC

In the Matter of

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT REXS, LLC of 16192 Coastal Highway, Lewes, Delaware 19958 cease and desist from conducting any of the following activities in the United States, including via the internet: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), soliciting United States agents or distributors, and aiding or abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of United States Patent No. 8,602,376 (“the ’376 patent”) and claims 1, 11, and 12 of United States Patent No. 8,870,146 (“the ’146 patent”) (collectively, the “Asserted Patents”), in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

I. Definitions

As used in this order:

- (A) “Commission” shall mean the United States International Trade Commission.
- (B) “Complainant” shall mean Nite Ize, Inc. of Boulder, Colorado.
- (C) “Respondent” shall mean REXS, LLC.

- (D) “Person” shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or its majority-owned or controlled subsidiaries, successors, or assigns.
- (E) “United States” shall mean the fifty States, the District of Columbia, and Puerto Rico.
- (F) The terms “import” and “importation” refer to importation for entry for consumption under the Customs laws of the United States.
- (G) The term “covered products” shall mean mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of the ’376 patent and claims 1, 11, and 12 of the ’146 patent.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of its principals, stockholders, officers, directors, employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned business entities, successors, and assigns, and to each of them, insofar as they are engaging in conduct prohibited by section III, *infra*, for, with, or otherwise on behalf of, Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order. For the remaining term of the Asserted Patents, Respondent shall not:

- (A) import, sell for importation, or sell after importation into the United States covered products;
- (B) market, distribute, offer for sale, or otherwise transfer (except for exportation) imported covered products;

- (C) advertise imported covered products;
- (D) solicit U.S. agents or distributors for imported covered products; or
- (E) aid or abet other entities in the importation, sale for importation, sale after importation, transfer or distribution of covered products.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Asserted Patents licenses or authorizes such specific conduct, or such specific conduct is related to the importation or sale of covered products by or for the United States.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this order through June 30, 2018. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that it has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in U.S. dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in U.S. dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above and submit eight (8) true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the

Commission's Rules of Practice and Procedure (19 C.F.R. § 210.4(f)). Submissions should refer to the investigation number ("Inv. No. 337-TA-1028") in a prominent place on the cover pages and/or the first page. *See Handbook for Electronic Filing Procedures,*

http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.

Persons with questions regarding filing should contact the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, it must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainant's counsel.¹

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI. Record-Keeping and Inspection

(A) For the purpose of securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

(B) For the purposes of determining or securing compliance with this Order and for no other purpose, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in

¹ Complainant must file a letter with the Secretary identifying the attorney to receive reports and bond information associated with this Order. The designated attorney must be on the protective order entered in the investigation.

Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

VII. Service of Cease and Desist Order

Respondent is ordered and directed to:

(A) Serve, within fifteen (15) days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, or sale of imported covered products in the United States;

(B) Serve, within fifteen (15) days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of the Order upon each successor; and

(C) Maintain such records as will show the name, title, and address of each person upon whom the Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect until the date of expiration of the Asserted Patents.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to section VI of this order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by section III of this order may be continued during the sixty-day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 Fed. Reg. 43,251 (Jul. 21, 2005)), subject to Respondent's posting of a bond in the amount of one hundred (100) percent of the entered value of the covered products. This bond provision does not apply to conduct that is otherwise permitted by section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond as set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by complainants in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying

documentation are to be provided to and approved by the Commission prior to the commencement of conduct that is otherwise prohibited by section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and accompanying documentation on Complainant's counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

This bond is to be released in the event the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, upon service on Respondent of an order issued by the Commission based upon application therefore made by Respondent to the Commission.

By order of the Commission.



Lisa R. Barton


Secretary to the Commission

Issued: February 22, 2018

² See Footnote 1.

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Cortney Hoecherl, Esq., and the following parties as indicated, on 2/22/2018



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

On Behalf of Complainant Nite Ize, Inc.:

James B. Altman, Esq.
FOSTER, MURPHY, ALTMAN & NICKEL, P.C.
1150 18th Street NW, Suite 775
Washington, DC 20036

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

Respondents:

REXS LLC
16192 Coastal Highway
Lewes, DE 19958

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

Shenzhen New Dream Technology Co., Ltd., d/b/a Newdreams,
Room 307, Haotai building Baomin Second
Road No. 1, Xixiang Street Bao'an,
Shenzhen, China, 518102

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

Wang Zhi Gang d/b/a IceFox,
Room 806, Ge Lin Wang Yuan YanNan Road,
Futian District
Shenzhen, China, 518000

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 2

Shenzhen Topworld Technology Co. d/b/a IdeaPro,
Rm 603, 6/F Hang Pont Comm. Bldg. 31
Tonk In St., Cheung Sha Wan Kln, Hong Kong,
Hong Kong

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

Lin Zhen Mei d/b/a Anson
502, B Seat, 3 Building, Guandi Garden
Xian N7 area, Jiaan west Rd, Baoan Dist.
Shenzhen, Guangdong, China 518128

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

Wu Xuying d/b/a Novoland
No 2336 Nanhai Road, Nanshan District
Shenzhen, China, 518054

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

Trendbox USA LLC d/b/a Trendbox
16419 North 91st Street, Suite 125
Scottsdale, AZ 85260

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

Tontek d/b/a Shenzhen Hetongtai Electronics Co., Ltd.,
B1505, Niulanqian Bldg., Minzhi Street, Longhua New Area,
Shenzhen, Guangdong,
China, 518000

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

Scotabc d/b/a ShenChuang Opto-electronics Technology Co. Ltd.,
Rm. 1203A, Zhanyuan Business Bldg, No. 912 Meilong Rd.,
Longhua town, Longhua Dist. Shenzhen, Guangdong,
China, 068100

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

Tenswall d/b/a Shenzhen Tenswall
International Trading Co., Ltd.
14837 Proctor Ave. Ste. A,
La Puente, CA 91746

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

Luo Jieqiong d/b/a Wekin
Room 1602, Building 20, Hua Sheng Shi Ji
Xin Cheng Yu Hua Dist. Chang Sha,
China, 410100

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 3

Pecham d/b/a Baichen Technology Ltd.
Rm 20A, Kiu Fu Comm. Bldg. 300 Lockhart Rd.
Wan Chai, Hong Kong

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

Wang Guoxiang d/b/a Minse
Rm. 609, Block 2, Xinghu Garden No. 9, Jinbi Rd,
Luohu Dist. Shenzhen, Guangdong,
China 518028

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

Zhiping Zhou d/b/a Runshion
31F, Dong C, Jinganghuating, Baoandadao,
Baoanqu Shenzhen, Guangdong,
China, 518000

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

Oumeiou d/b/a Shenzhen Oumeiou Technology Co., Ltd.
F3 Comprehensive Bldg. of Nankeng 2nd Industrial Park,
Bantian Street, Longgang,
Shenzhen, China, 518112

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

Shenzhen Longwang Technology Co. Ltd. d/b/a LWANG
B21, 5/F, West of Bldg. 4, Seg Tech Park,
Huaqiang North Rd., Futian Dist., Shenzhen, Guangdong,
China, 518000

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

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC

In the Matter of

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT Tenswall d/b/a Shenzhen Tenswall International Trading Co., Ltd. of 14837 Proctor Ave. Ste. A, La Puente, California 91746 cease and desist from conducting any of the following activities in the United States, including via the internet: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), soliciting United States agents or distributors, and aiding or abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of United States Patent No. 8,602,376 (“the ’376 patent”) and claims 1, 11, and 12 of United States Patent No. 8,870,146 (“the ’146 patent”) (collectively, the “Asserted Patents”), in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

I. Definitions

As used in this order:

- (A) “Commission” shall mean the United States International Trade Commission.
- (B) “Complainant” shall mean Nite Ize, Inc. of Boulder, Colorado.
- (C) “Respondent” shall mean Tenswall d/b/a Shenzhen Tenswall International Trading Co., Ltd.

- (D) “Person” shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or its majority-owned or controlled subsidiaries, successors, or assigns.
- (E) “United States” shall mean the fifty States, the District of Columbia, and Puerto Rico.
- (F) The terms “import” and “importation” refer to importation for entry for consumption under the Customs laws of the United States.
- (G) The term “covered products” shall mean mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of the ’376 patent and claims 1, 11, and 12 of the ’146 patent.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of its principals, stockholders, officers, directors, employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned business entities, successors, and assigns, and to each of them, insofar as they are engaging in conduct prohibited by section III, *infra*, for, with, or otherwise on behalf of, Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order.

For the remaining term of the Asserted Patents, Respondent shall not:

- (A) import, sell for importation, or sell after importation into the United States covered products;
- (B) market, distribute, offer for sale, or otherwise transfer (except for exportation) imported covered products;

- (C) advertise imported covered products;
- (D) solicit U.S. agents or distributors for imported covered products; or
- (E) aid or abet other entities in the importation, sale for importation, sale after importation, transfer or distribution of covered products.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Asserted Patents licenses or authorizes such specific conduct, or such specific conduct is related to the importation or sale of covered products by or for the United States.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this order through June 30, 2018. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that it has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in U.S. dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in U.S. dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above and submit eight (8) true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the

Commission's Rules of Practice and Procedure (19 C.F.R. § 210.4(f)). Submissions should refer to the investigation number ("Inv. No. 337-TA-1028") in a prominent place on the cover pages and/or the first page. *See Handbook for Electronic Filing Procedures,*

http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.

Persons with questions regarding filing should contact the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, it must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainant's counsel.¹

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI. Record-Keeping and Inspection

(A) For the purpose of securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

(B) For the purposes of determining or securing compliance with this Order and for no other purpose, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in

¹ Complainant must file a letter with the Secretary identifying the attorney to receive reports and bond information associated with this Order. The designated attorney must be on the protective order entered in the investigation.

Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

VII. Service of Cease and Desist Order

Respondent is ordered and directed to:

(A) Serve, within fifteen (15) days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, or sale of imported covered products in the United States;

(B) Serve, within fifteen (15) days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of the Order upon each successor; and

(C) Maintain such records as will show the name, title, and address of each person upon whom the Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect until the date of expiration of the Asserted Patents.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to section VI of this order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by section III of this order may be continued during the sixty-day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 Fed. Reg. 43,251 (Jul. 21, 2005)), subject to Respondent's posting of a bond in the amount of one hundred (100) percent of the entered value of the covered products. This bond provision does not apply to conduct that is otherwise permitted by section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond as set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by complainants in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying

documentation are to be provided to and approved by the Commission prior to the commencement of conduct that is otherwise prohibited by section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and accompanying documentation on Complainant's counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

This bond is to be released in the event the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, upon service on Respondent of an order issued by the Commission based upon application therefore made by Respondent to the Commission.

By order of the Commission.



Lisa R. Barton

Secretary to the Commission

Issued: February 22, 2018

² See Footnote 1.

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Cortney Hoecherl, Esq., and the following parties as indicated, on 2/22/2018



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

On Behalf of Complainant Nite Ize, Inc.:

James B. Altman, Esq.
FOSTER, MURPHY, ALTMAN & NICKEL, P.C.
1150 18th Street NW, Suite 775
Washington, DC 20036

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

Respondents:

REXS LLC
16192 Coastal Highway
Lewes, DE 19958

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

Shenzhen New Dream Technology Co., Ltd., d/b/a Newdreams,
Room 307, Haotai building Baomin Second
Road No. 1, Xixiang Street Bao'an,
Shenzhen, China, 518102

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

Wang Zhi Gang d/b/a IceFox,
Room 806, Ge Lin Wang Yuan YanNan Road,
Futian District
Shenzhen, China, 518000

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 2

Shenzhen Topworld Technology Co. d/b/a IdeaPro,
Rm 603, 6/F Hang Pont Comm. Bldg. 31
Tonk In St., Cheung Sha Wan Kln, Hong Kong,
Hong Kong

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

Lin Zhen Mei d/b/a Anson
502, B Seat, 3 Building, Guandi Garden
Xian N7 area, Jiaan west Rd, Baoan Dist.
Shenzhen, Guangdong, China 518128

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

Wu Xuying d/b/a Novoland
No 2336 Nanhai Road, Nanshan District
Shenzhen, China, 518054

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

Trendbox USA LLC d/b/a Trendbox
16419 North 91st Street, Suite 125
Scottsdale, AZ 85260

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

Tontek d/b/a Shenzhen Hetongtai Electronics Co., Ltd.,
B1505, Niulanqian Bldg., Minzhi Street, Longhua New Area,
Shenzhen, Guangdong,
China, 518000

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

Scotabc d/b/a ShenChuang Opto-electronics Technology Co. Ltd.,
Rm. 1203A, Zhanyuan Business Bldg, No. 912 Meilong Rd.,
Longhua town, Longhua Dist. Shenzhen, Guangdong,
China, 068100

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

Tenswall d/b/a Shenzhen Tenswall
International Trading Co., Ltd.
14837 Proctor Ave. Ste. A,
La Puente, CA 91746

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

Luo Jieqiong d/b/a Wekin
Room 1602, Building 20, Hua Sheng Shi Ji
Xin Cheng Yu Hua Dist. Chang Sha,
China, 410100

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 3

Pecham d/b/a Baichen Technology Ltd.
Rm 20A, Kiu Fu Comm. Bldg. 300 Lockhart Rd.
Wan Chai, Hong Kong

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

Wang Guoxiang d/b/a Minse
Rm. 609, Block 2, Xinghu Garden No. 9, Jinbi Rd,
Luohu Dist. Shenzhen, Guangdong,
China 518028

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

Zhiping Zhou d/b/a Runshion
31F, Dong C, Jinganghuating, Baoandadao,
Baoanqu Shenzhen, Guangdong,
China, 518000

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

Oumeiou d/b/a Shenzhen Oumeiou Technology Co., Ltd.
F3 Comprehensive Bldg. of Nankeng 2nd Industrial Park,
Bantian Street, Longgang,
Shenzhen, China, 518112

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

Shenzhen Longwang Technology Co. Ltd. d/b/a LWANG
B21, 5/F, West of Bldg. 4, Seg Tech Park,
Huaqiang North Rd., Futian Dist., Shenzhen, Guangdong,
China, 518000

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

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC

In the Matter of

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT Wang Guoxiang d/b/a Minse of Rm. 609, Block 2, Xinghu Garden No. 9, Jinbi Rd, Luohu Dist. Shenzhen, Guangdong, China 518028 cease and desist from conducting any of the following activities in the United States, including via the internet: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), soliciting United States agents or distributors, and aiding or abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of United States Patent No. 8,602,376 (“the ’376 patent”) and claims 1, 11, and 12 of United States Patent No. 8,870,146 (“the ’146 patent”) (collectively, the “Asserted Patents”), in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

I. Definitions

As used in this order:

- (A) “Commission” shall mean the United States International Trade Commission.
- (B) “Complainant” shall mean Nite Ize, Inc. of Boulder, Colorado.
- (C) “Respondent” shall mean Wang Guoxiang d/b/a Minse.

- (D) “Person” shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or its majority-owned or controlled subsidiaries, successors, or assigns.
- (E) “United States” shall mean the fifty States, the District of Columbia, and Puerto Rico.
- (F) The terms “import” and “importation” refer to importation for entry for consumption under the Customs laws of the United States.
- (G) The term “covered products” shall mean mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of the ’376 patent and claims 1, 11, and 12 of the ’146 patent.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of its principals, stockholders, officers, directors, employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned business entities, successors, and assigns, and to each of them, insofar as they are engaging in conduct prohibited by section III, *infra*, for, with, or otherwise on behalf of, Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order.

For the remaining term of the Asserted Patents, Respondent shall not:

- (A) import, sell for importation, or sell after importation into the United States covered products;
- (B) market, distribute, offer for sale, or otherwise transfer (except for exportation) imported covered products;

- (C) advertise imported covered products;
- (D) solicit U.S. agents or distributors for imported covered products; or
- (E) aid or abet other entities in the importation, sale for importation, sale after importation, transfer or distribution of covered products.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Asserted Patents licenses or authorizes such specific conduct, or such specific conduct is related to the importation or sale of covered products by or for the United States.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this order through June 30, 2018. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that it has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in U.S. dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in U.S. dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above and submit eight (8) true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the

Commission's Rules of Practice and Procedure (19 C.F.R. § 210.4(f)). Submissions should refer to the investigation number ("Inv. No. 337-TA-1028") in a prominent place on the cover pages and/or the first page. *See Handbook for Electronic Filing Procedures,*

http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.

Persons with questions regarding filing should contact the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, it must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainant's counsel.¹

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI. Record-Keeping and Inspection

(A) For the purpose of securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

(B) For the purposes of determining or securing compliance with this Order and for no other purpose, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in

¹ Complainant must file a letter with the Secretary identifying the attorney to receive reports and bond information associated with this Order. The designated attorney must be on the protective order entered in the investigation.

Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses, all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

VII. Service of Cease and Desist Order

Respondent is ordered and directed to:

(A) Serve, within fifteen (15) days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, or sale of imported covered products in the United States;

(B) Serve, within fifteen (15) days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of the Order upon each successor; and

(C) Maintain such records as will show the name, title, and address of each person upon whom the Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect until the date of expiration of the Asserted Patents.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to section VI of this order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by section III of this order may be continued during the sixty-day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 Fed. Reg. 43,251 (Jul. 21, 2005)), subject to Respondent's posting of a bond in the amount of one hundred (100) percent of the entered value of the covered products. This bond provision does not apply to conduct that is otherwise permitted by section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond as set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by complainants in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying

documentation are to be provided to and approved by the Commission prior to the commencement of conduct that is otherwise prohibited by section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and accompanying documentation on Complainant's counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

This bond is to be released in the event the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, upon service on Respondent of an order issued by the Commission based upon application therefore made by Respondent to the Commission.

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: February 22, 2018

² See Footnote 1.

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Cortney Hoecherl, Esq., and the following parties as indicated, on 2/22/2018



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

On Behalf of Complainant Nite Ize, Inc.:

James B. Altman, Esq.
FOSTER, MURPHY, ALTMAN & NICKEL, P.C.
1150 18th Street NW, Suite 775
Washington, DC 20036

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

Respondents:

REXS LLC
16192 Coastal Highway
Lewes, DE 19958

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

Shenzhen New Dream Technology Co., Ltd., d/b/a Newdreams,
Room 307, Haotai building Baomin Second
Road No. 1, Xixiang Street Bao'an,
Shenzhen, China, 518102

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

Wang Zhi Gang d/b/a IceFox,
Room 806, Ge Lin Wang Yuan YanNan Road,
Futian District
Shenzhen, China, 518000

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

CERTAIN MOBILE DEVICE HOLDERS AND COMPONENTS THEREOF

Inv. No. 337-TA-1028

Certificate of Service – Page 2

Shenzhen Topworld Technology Co. d/b/a IdeaPro,
Rm 603, 6/F Hang Pont Comm. Bldg. 31
Tonk In St., Cheung Sha Wan Kln, Hong Kong,
Hong Kong

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

Lin Zhen Mei d/b/a Anson
502, B Seat, 3 Building, Guandi Garden
Xian N7 area, Jiaan west Rd, Baoan Dist.
Shenzhen, Guangdong, China 518128

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

Wu Xuying d/b/a Novoland
No 2336 Nanhai Road, Nanshan District
Shenzhen, China, 518054

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

Trendbox USA LLC d/b/a Trendbox
16419 North 91st Street, Suite 125
Scottsdale, AZ 85260

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

Tontek d/b/a Shenzhen Hetongtai Electronics Co., Ltd.,
B1505, Niulanqian Bldg., Minzhi Street, Longhua New Area,
Shenzhen, Guangdong,
China, 518000

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

Scotabc d/b/a ShenChuang Opto-electronics Technology Co. Ltd.,
Rm. 1203A, Zhanyuan Business Bldg, No. 912 Meilong Rd.,
Longhua town, Longhua Dist. Shenzhen, Guangdong,
China, 068100

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

Tenswall d/b/a Shenzhen Tenswall
International Trading Co., Ltd.
14837 Proctor Ave. Ste. A,
La Puente, CA 91746

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

Luo Jieqiong d/b/a Wekin
Room 1602, Building 20, Hua Sheng Shi Ji
Xin Cheng Yu Hua Dist. Chang Sha,
China, 410100

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 3

Pecham d/b/a Baichen Technology Ltd.
Rm 20A, Kiu Fu Comm. Bldg. 300 Lockhart Rd.
Wan Chai, Hong Kong

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

Wang Guoxiang d/b/a Minse
Rm. 609, Block 2, Xinghu Garden No. 9, Jinbi Rd,
Luohu Dist. Shenzhen, Guangdong,
China 518028

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

Zhiping Zhou d/b/a Runshion
31F, Dong C, Jinganghuating, Baoandadao,
Baoanqu Shenzhen, Guangdong,
China, 518000

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

Oumeiou d/b/a Shenzhen Oumeiou Technology Co., Ltd.
F3 Comprehensive Bldg. of Nankeng 2nd Industrial Park,
Bantian Street, Longgang,
Shenzhen, China, 518112

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

Shenzhen Longwang Technology Co. Ltd. d/b/a LWANG
B21, 5/F, West of Bldg. 4, Seg Tech Park,
Huaqiang North Rd., Futian Dist., Shenzhen, Guangdong,
China, 518000

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

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC

In the Matter of

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

CEASE AND DESIST ORDER

IT IS HEREBY ORDERED THAT Tontek d/b/a Shenzhen Hetongtai Electronics Co., Ltd. of B1505, Niulanqian Bldg., Minzhi Street, Longhua New Area Shenzhen, Guangdong, China 518000 cease and desist from conducting any of the following activities in the United States, including via the internet: importing, selling, offering for sale, marketing, advertising, distributing, transferring (except for exportation), soliciting United States agents or distributors, and aiding or abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of United States Patent No. 8,602,376 (“the ’376 patent”) and claims 1, 11, and 12 of United States Patent No. 8,870,146 (“the ’146 patent”) (collectively, the “Asserted Patents”), in violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337).

I. Definitions

As used in this order:

- (A) “Commission” shall mean the United States International Trade Commission.
- (B) “Complainant” shall mean Nite Ize, Inc. of Boulder, Colorado.
- (C) “Respondent” shall mean Tontek d/b/a Shenzhen Hetongtai Electronics Co., Ltd.

- (D) “Person” shall mean an individual, or any non-governmental partnership, firm, association, corporation, or other legal or business entity other than Respondent or its majority-owned or controlled subsidiaries, successors, or assigns.
- (E) “United States” shall mean the fifty States, the District of Columbia, and Puerto Rico.
- (F) The terms “import” and “importation” refer to importation for entry for consumption under the Customs laws of the United States.
- (G) The term “covered products” shall mean mobile device holders and components thereof that infringe one or more of claims 1, 11, and 12 of the ’376 patent and claims 1, 11, and 12 of the ’146 patent.

II. Applicability

The provisions of this Cease and Desist Order shall apply to Respondent and to any of its principals, stockholders, officers, directors, employees, agents, distributors, controlled (whether by stock ownership or otherwise) and majority-owned business entities, successors, and assigns, and to each of them, insofar as they are engaging in conduct prohibited by section III, *infra*, for, with, or otherwise on behalf of, Respondent.

III. Conduct Prohibited

The following conduct of Respondent in the United States is prohibited by this Order.

For the remaining term of the Asserted Patents, Respondent shall not:

- (A) import, sell for importation, or sell after importation into the United States covered products;
- (B) market, distribute, offer for sale, or otherwise transfer (except for exportation) imported covered products;

- (C) advertise imported covered products;
- (D) solicit U.S. agents or distributors for imported covered products; or
- (E) aid or abet other entities in the importation, sale for importation, sale after importation, transfer or distribution of covered products.

IV. Conduct Permitted

Notwithstanding any other provision of this Order, specific conduct otherwise prohibited by the terms of this Order shall be permitted if, in a written instrument, the owner of the Asserted Patents licenses or authorizes such specific conduct, or such specific conduct is related to the importation or sale of covered products by or for the United States.

V. Reporting

For purposes of this requirement, the reporting periods shall commence on July 1 of each year and shall end on the subsequent June 30. The first report required under this section shall cover the period from the date of issuance of this order through June 30, 2018. This reporting requirement shall continue in force until such time as Respondent has truthfully reported, in two consecutive timely filed reports, that it has no inventory of covered products in the United States.

Within thirty (30) days of the last day of the reporting period, Respondent shall report to the Commission: (a) the quantity in units and the value in U.S. dollars of covered products that Respondent has (i) imported and/or (ii) sold in the United States after importation during the reporting period, and (b) the quantity in units and value in U.S. dollars of reported covered products that remain in inventory in the United States at the end of the reporting period.

When filing written submissions, Respondent must file the original document electronically on or before the deadlines stated above and submit eight (8) true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the

Commission's Rules of Practice and Procedure (19 C.F.R. § 210.4(f)). Submissions should refer to the investigation number ("Inv. No. 337-TA-1028") in a prominent place on the cover pages and/or the first page. *See Handbook for Electronic Filing Procedures,*

http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.

Persons with questions regarding filing should contact the Secretary (202-205-2000). If Respondent desires to submit a document to the Commission in confidence, it must file the original and a public version of the original with the Office of the Secretary and must serve a copy of the confidential version on Complainant's counsel.¹

Any failure to make the required report or the filing of any false or inaccurate report shall constitute a violation of this Order, and the submission of a false or inaccurate report may be referred to the U.S. Department of Justice as a possible criminal violation of 18 U.S.C. § 1001.

VI. Record-Keeping and Inspection

(A) For the purpose of securing compliance with this Order, Respondent shall retain any and all records relating to the sale, offer for sale, marketing, or distribution in the United States of covered products, made and received in the usual and ordinary course of business, whether in detail or in summary form, for a period of three (3) years from the close of the fiscal year to which they pertain.

(B) For the purposes of determining or securing compliance with this Order and for no other purpose, subject to any privilege recognized by the federal courts of the United States, and upon reasonable written notice by the Commission or its staff, duly authorized representatives of the Commission shall be permitted access and the right to inspect and copy, in

¹ Complainant must file a letter with the Secretary identifying the attorney to receive reports and bond information associated with this Order. The designated attorney must be on the protective order entered in the investigation.

Respondent's principal offices during office hours, and in the presence of counsel or other representatives if Respondent so chooses; all books, ledgers, accounts, correspondence, memoranda, and other records and documents, in detail and in summary form, that must be retained under subparagraph VI(A) of this Order.

VII. Service of Cease and Desist Order

Respondent is ordered and directed to:

(A) Serve, within fifteen (15) days after the effective date of this Order, a copy of this Order upon each of its respective officers, directors, managing agents, agents, and employees who have any responsibility for the importation, marketing, distribution, or sale of imported covered products in the United States;

(B) Serve, within fifteen (15) days after the succession of any persons referred to in subparagraph VII(A) of this Order, a copy of the Order upon each successor; and

(C) Maintain such records as will show the name, title, and address of each person upon whom the Order has been served, as described in subparagraphs VII(A) and VII(B) of this Order, together with the date on which service was made.

The obligations set forth in subparagraphs VII(B) and VII(C) shall remain in effect until the date of expiration of the Asserted Patents.

VIII. Confidentiality

Any request for confidential treatment of information obtained by the Commission pursuant to section VI of this order should be made in accordance with section 201.6 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 201.6). For all reports for which confidential treatment is sought, Respondent must provide a public version of such report with confidential information redacted.

IX. Enforcement

Violation of this order may result in any of the actions specified in section 210.75 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.75), including an action for civil penalties under section 337(f) of the Tariff Act of 1930 (19 U.S.C. § 1337(f)), as well as any other action that the Commission deems appropriate. In determining whether Respondent is in violation of this order, the Commission may infer facts adverse to Respondent if it fails to provide adequate or timely information.

X. Modification

The Commission may amend this order on its own motion or in accordance with the procedure described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

XI. Bonding

The conduct prohibited by section III of this order may be continued during the sixty-day period in which this Order is under review by the United States Trade Representative, as delegated by the President (70 Fed. Reg. 43,251 (Jul. 21, 2005)), subject to Respondent's posting of a bond in the amount of one hundred (100) percent of the entered value of the covered products. This bond provision does not apply to conduct that is otherwise permitted by section IV of this Order. Covered products imported on or after the date of issuance of this Order are subject to the entry bond as set forth in the exclusion order issued by the Commission, and are not subject to this bond provision.

The bond is to be posted in accordance with the procedures established by the Commission for the posting of bonds by complainants in connection with the issuance of temporary exclusion orders. *See* 19 C.F.R. § 210.68. The bond and any accompanying

documentation are to be provided to and approved by the Commission prior to the commencement of conduct that is otherwise prohibited by section III of this Order. Upon the Secretary's acceptance of the bond, (a) the Secretary will serve an acceptance letter on all parties, and (b) Respondent must serve a copy of the bond and accompanying documentation on Complainant's counsel.²

The bond is to be forfeited in the event that the United States Trade Representative approves this Order (or does not disapprove it within the review period), unless (i) the U.S. Court of Appeals for the Federal Circuit, in a final judgment, reverses any Commission final determination and order as to Respondent on appeal, or (ii) Respondent exports or destroys the products subject to this bond and provides certification to that effect that is satisfactory to the Commission.

This bond is to be released in the event the United States Trade Representative disapproves this Order and no subsequent order is issued by the Commission and approved (or not disapproved) by the United States Trade Representative, upon service on Respondent of an order issued by the Commission based upon application therefore made by Respondent to the Commission.

By order of the Commission.



Lisa R. Barton

Secretary to the Commission

Issued: February 22, 2018

² See Footnote 1.

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Cortney Hoecherl, Esq., and the following parties as indicated, on 2/22/2018



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

On Behalf of Complainant Nite Ize, Inc.:

James B. Altman, Esq.
FOSTER, MURPHY, ALTMAN & NICKEL, P.C.
1150 18th Street NW, Suite 775
Washington, DC 20036

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

Respondents:

REXS LLC
16192 Coastal Highway
Lewes, DE 19958

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

Shenzhen New Dream Technology Co., Ltd., d/b/a Newdreams,
Room 307, Haotai building Baomin Second
Road No. 1, Xixiang Street Bao'an,
Shenzhen, China, 518102

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

Wang Zhi Gang d/b/a IceFox,
Room 806, Ge Lin Wang Yuan YanNan Road,
Futian District
Shenzhen, China, 518000

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

CERTAIN MOBILE DEVICE HOLDERS AND COMPONENTS THEREOF

Inv. No. 337-TA-1028

Certificate of Service – Page 2

Shenzhen Topworld Technology Co. d/b/a IdeaPro,
Rm 603, 6/F Hang Pont Comm. Bldg. 31
Tonk In St., Cheung Sha Wan Kln, Hong Kong,
Hong Kong

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

Lin Zhen Mei d/b/a Anson
502, B Seat, 3 Building, Guandi Garden
Xian N7 area, Jiaan west Rd, Baoan Dist.
Shenzhen, Guangdong, China 518128

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

Wu Xuying d/b/a Novoland
No 2336 Nanhai Road, Nanshan District
Shenzhen, China, 518054

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

Trendbox USA LLC d/b/a Trendbox
16419 North 91st Street, Suite 125
Scottsdale, AZ 85260

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

Tontek d/b/a Shenzhen Hetongtai Electronics Co., Ltd.,
B1505, Niulanqian Bldg., Minzhi Street, Longhua New Area,
Shenzhen, Guangdong,
China, 518000

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

Scotabc d/b/a ShenChuang Opto-electronics Technology Co. Ltd.,
Rm. 1203A, Zhanyuan Business Bldg, No. 912 Meilong Rd.,
Longhua town, Longhua Dist. Shenzhen, Guangdong,
China, 068100

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

Tenswall d/b/a Shenzhen Tenswall
International Trading Co., Ltd.
14837 Proctor Ave. Ste. A,
La Puente, CA 91746

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

Luo Jieqiong d/b/a Wekin
Room 1602, Building 20, Hua Sheng Shi Ji
Xin Cheng Yu Hua Dist. Chang Sha,
China, 410100

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

**CERTAIN MOBILE DEVICE HOLDERS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1028

Certificate of Service – Page 3

Pecham d/b/a Baichen Technology Ltd.
Rm 20A, Kiu Fu Comm. Bldg. 300 Lockhart Rd.
Wan Chai, Hong Kong

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

Wang Guoxiang d/b/a Minse
Rm. 609, Block 2, Xinghu Garden No. 9, Jinbi Rd,
Luohu Dist. Shenzhen, Guangdong,
China 518028

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

Zhiping Zhou d/b/a Runshion
31F, Dong C, Jinganghuating, Baoandadao,
Baoanqu Shenzhen, Guangdong,
China, 518000

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

Oumeiou d/b/a Shenzhen Oumeiou Technology Co., Ltd.
F3 Comprehensive Bldg. of Nankeng 2nd Industrial Park,
Bantian Street, Longgang,
Shenzhen, China, 518112

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

Shenzhen Longwang Technology Co. Ltd. d/b/a LWANG
B21, 5/F, West of Bldg. 4, Seg Tech Park,
Huaqiang North Rd., Futian Dist., Shenzhen, Guangdong,
China, 518000

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