

UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C. 20436

Before The Honorable Thomas B. Pender
Administrative Law Judge

In the Matter of

CERTAIN ROBOTIC VACUUM
CLEANING DEVICES AND
COMPONENTS THEREOF SUCH AS
SPARE PARTS

Investigation No. 337-TA-1057

**RESPONDENT SHENZHEN SILVER STAR INTELLIGENT TECHNOLOGY CO.,
LTD.'S RESPONSE TO THE AMENDED COMPLAINT OF IROBOT CORPORATION**

Pursuant to Commission Rule 210.13, 19 C.F.R. § 210.13, Respondent Shenzhen Silver Star Intelligent Technology Co., Ltd. (“Silver Star”) hereby responds to the July 20, 2017 Verified Amended Complaint (“Amended Complaint”) of Complainant iRobot Corporation (“iRobot” or “Complainant”) under Section 337 of the Tariff Act of 1930.

Silver Star denies that it has engaged in any acts of unfair competition or violated Section 337 by importing, selling for importation, or selling within the United States after importation certain robotic vacuum cleaning devices and components thereof such as spare parts, that infringe, directly, literally, or under the doctrine of equivalents, any valid and enforceable claim of U.S. Patent Nos. 6,809,490 (“the ’490 Patent”); 7,155,308 (“the ’308 Patent”); 8,474,090 (“the ’090 Patent”); 8,600,553 (“the ’553 Patent”); 9,038,233 (“the ’233 Patent”) and 9,486,924 (“the ’924 Patent”) (collectively, “the Asserted Patents”). Silver Star denies that any patent claims at issue in this investigation are valid, enforceable, or infringed. Silver Star denies that Complainant will be able to satisfy their burden to demonstrate infringement of any patent claims at issue in this investigation. Silver Star further denies that a domestic industry as required by Section 337

exists. Silver Star denies that Complainant is entitled to any of the relief it seeks. Silver Star denies each and every allegation in the Amended Complaint, except as specifically and expressly admitted herein. Any factual allegation admitted below is admitted only as to the specifically admitted facts, and not as to any purported conclusions, characterizations, implications, or speculations that might follow from the admitted facts. Further, any allegation that is admitted below applies only to the Respondent(s) making that admission and to no other Respondent. Silver Star reserves the right to amend or supplement its response based on additional facts or developments that become available or that arise during discovery in this investigation.

In response to the specific allegations and characterizations set forth in the Amended Complaint, Silver Star responds as follows:

I. INTRODUCTION

1.1 Silver Star admits that Complainant has filed an amended complaint requesting that the Commission institute an investigation pursuant to Section 337, but Silver Star denies any allegation that it has acted unlawfully, and further denies any allegation in Paragraph 1.1 of the Amended Complaint directed to Silver Star. Silver Star denies the patents asserted by iRobot are valid and enforceable. Also, Paragraph 1.1 contains allegations directed to entities other than Silver Star, for which no response is required. To the extent a response is required, Silver Star denies any remaining factual allegations in Paragraph 1.1 of the Amended Complaint.

1.2 Silver Star admits that the named Respondents in this Investigation are: Bissell Homecare, Inc. (“Bissell”); Hoover Inc. (“Hoover”); Royal Appliance Manufacturing Co. Inc. d/b/a TTI Floor Care North America, Inc. (“TTI”); bObsweep, Inc.; bObsweep USA; The Black & Decker Corporation; Black & Decker (U.S.) Inc.; Shenzhen ZhiYi Technology Co., Ltd. d/b/a iLife (“iLife”); Matsutek Enterprises Co., Ltd. (“Matsutek”); Suzhou Real Power Electric

Appliance Co., Ltd. (“Real Power”); and Silver Star (collectively “Proposed Respondents”). Silver Star admits that U.S. Patent Nos. 6,809,490 (“the ’490 patent”); 7,155,308 (“the ’308 patent”); 8,474,090 (“the ’090 patent”); 8,600,553 (“the ’553 patent”); 9,038,233 (“the ’233 patent”) and 9,486,924 (“the ’924 patent”) are collectively referred to as the “Asserted Patents”. Silver Star denies any allegation that it has acted unlawfully or that it has infringed one or more claims of the Asserted Patents. Paragraph 1.2 of the Amended Complaint also contains allegations directed to entities other than Silver Star, to which no response is required. To the extent a response is required, Silver Star lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 1.2 of the Amended Complaint, and therefore denies them. To the extent Paragraph 1.2 contains any other factual allegations, they are denied.

1.3 Silver Star denies it induces the infringement of or infringes directly or contributorily any of the Asserted Claims of the Asserted Patents. Paragraph 1.3 of the Amended Complaint contains allegations directed to entities other than Silver Star, to which no response is required. To the extent a response is required, Silver Star lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 1.3 of the Amended Complaint, and therefore denies them.

1.4 Silver Star admits that Exhibits 1-6 of the Amended Complaint purport to be certified copies of the Asserted Patents and Exhibits 7-12 of the Amended Complaint purport to be certified copies of the recorded assignments. Silver Star denies the asserted patents were lawfully issued. Silver Star lacks sufficient knowledge or information to admit or deny the remaining allegations contained in Paragraph 1.4 of the Amended Complaint at this time, and therefore denies them.

1.5 Silver Star denies that Complainant can establish a domestic industry as required by 19 U.S.C. § 1337(a)(2) and (3).

1.6 Silver Star denies any allegation that it has acted unlawfully and denies that Complainant is entitled to relief from the Commission in the form of a permanent limited exclusion order, cease and desist orders or a bond during the Presidential review period. Paragraph 1.6 of the Amended Complaint also contains allegations directed to entities other than Silver Star, to which no response is required. To the extent a response is required, Silver Star lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 1.6 of the Amended Complaint, and therefore denies them. To the extent Paragraph 1.6 contains any other factual allegations, they are denied.

II. COMPLAINANT

2.1 Silver Star lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 2.1 of the Amended Complaint, and therefore denies them.

2.2 Silver Star lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 2.2 of the Amended Complaint, and therefore denies them.

2.3 Silver Star lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 2.3 of the Amended Complaint, and therefore denies them.

2.4 Silver Star lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 2.4 of the Amended Complaint, and therefore denies them.

2.5 Silver Star lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 2.5 of the Amended Complaint, and therefore denies them.

2.6 Silver Star lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 2.6 of the Amended Complaint, and therefore denies them.

2.7 Silver Star lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 2.7 of the Amended Complaint, and therefore denies them.

III. PROPOSED RESPONDENTS

A. Bissell

3.1 Paragraph 3.1 of the Amended Complaint contains allegations directed to an entity other than Silver Star, to which no response is required. To the extent a response is required, Silver Star lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 3.1 of the Amended Complaint, and therefore denies them.

3.2 Paragraph 3.2 of the Amended Complaint contains allegations directed to an entity other than Silver Star, to which no response is required. To the extent a response is required, Silver Star lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 3.2 of the Amended Complaint, and therefore denies them.

3.3 Paragraph 3.3 of the Amended Complaint contains allegations directed to an entity other than Silver Star, to which no response is required. To the extent a response is required, Silver Star lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 3.3 of the Amended Complaint, and therefore denies them.

B. Hoover

3.4 Paragraph 3.4 of the Amended Complaint contains allegations directed to an entity other than Silver Star, to which no response is required. To the extent a response is required, Silver Star lacks sufficient knowledge or information to admit or deny the allegations contained in Paragraph 3.4 of the Amended Complaint, and therefore denies them.

3.5 Paragraph 3.5 of the Amended Complaint contains allegations directed to an entity other than Silver Star, to which no response is required. To the extent a response is

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.