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July 28, 2021

VIA EDIS

The Honorable Lisa R. Barton
Secretary of the Commission
United States International Trade Commission
500 E Street, S.W.
Washington, D.C. 20436

Re: *Complaint of Zebra Technologies Corporation concerning Certain Radio
Frequency Transmission Devices and Components Thereof*

Dear Secretary Barton:

Pursuant to the Commission's Temporary Change to Filing Procedures, issued March 16, 2020, enclosed for filing are the following materials in support of a request by Complainant Zebra Technologies Corporation ("Complainant") that the U.S. International Trade Commission institute an investigation pursuant to Section 337 of the Tariff Act of 1930, as amended, concerning certain radio frequency transmission devices and components thereof:

1. One (1) electronic copy of Complainant's verified public Complaint, pursuant to Commission Rule 210.8(a)(1)(i);
2. One (1) electronic copy of Complainant's Statement on the Public Interest, pursuant to Commission Rule 210.8(b);
3. One (1) electronic copy of Complainant's letter and certification requesting confidential treatment for the information contained in Confidential Exhibit No. 11 to the Complaint, pursuant to Commission Rules 210.5(d) and 201.6(b);
4. One (1) electronic copy of Complainant's Confidential Exhibit No. 11 to the Complaint, pursuant to Commission Rules 210.8(a)(1)(ii) and 201.6(c);
5. One (1) electronic copy of Complainant's public exhibits to the Complaint, pursuant to Commission Rule 210.8(a)(1)(i);

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6. One (1) electronic certified copy of United States Patent Nos. 6,895,219 (the "'219 patent") and United States Patent No. 7,683,788 (the "'788 patent") (collectively, the "Asserted Patents," cited in the Complaint as Exhibits 1 and 3, respectively), pursuant to Commission Rule 210.12(a)(9)(i);
7. One (1) electronic certified copy of each of the assignments for the Asserted Patents (cited in the Complaint as Exhibits 2 and 4), pursuant to Commission Rule 210.12(a)(9)(ii);
8. One (1) electronic copy of the original certified prosecution histories for the Asserted Patents (cited in the Complaint as Appendices A and C), pursuant to Commission Rule 210.12(c)(1);
9. One (1) electronic copy of patent and technical reference documents identified in each of the prosecution histories of the Asserted Patents (cited in the Complaint as Appendices B and D), pursuant to Commission Rule 210.12(c)(2); and
10. One (1) electronic copy of Complainant's letter regarding the expiration date of the '219 patent.

Please contact me with any questions regarding this filing.

Respectfully submitted,



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Counsel to Complainant
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July 28, 2021

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Lisa R. Barton
Secretary of the Commission
United States International Trade Commission
500 E Street, S.W.
Washington, D.C. 20436

Re: *Complaint of Zebra Technologies Corporation concerning Certain Radio
Frequency Transmission Devices and Components Thereof*

Dear Secretary Barton:

Morgan, Lewis & Bockius LLP represents Complainant Zebra Technologies Corporation (“Complainant”) in the matter of the above referenced Complaint filed pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337.

Pursuant to Commission Rules 201.6 and 210.5, Complainant respectfully requests confidential treatment of the confidential business information contained in Confidential Exhibit No. 11 to the Verified Complaint. The proprietary information contained in the Complaint and the above-referenced Confidential exhibits qualifies as confidential information pursuant to 19 C.F.R. § 201.6 in that it discloses proprietary commercial information and/or proprietary business information that is not otherwise publicly available, and because the disclosure of such information would cause substantial harm to Complainant, and would also impair the Commission’s ability to obtain such information in the performance of its statutory function in the future.

I certify that the proprietary commercial information, proprietary commercial relationships, and/or proprietary business information contained in the Confidential Exhibit No. 11 is not reasonably available to the public, and thus warrants confidential treatment.

Thank you for your attention to this matter. Please contact me with any questions regarding this request.

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Lisa R. Barton
July 28, 2021
Page 2

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Eric Namrow". The signature is fluid and cursive, with a long horizontal stroke at the end.

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July 28, 2021

VIA EDIS

Lisa R. Barton

Secretary of the Commission

United States International Trade Commission

500 E Street, S.W.

Washington, D.C. 20436

Re: Complaint of Zebra Technologies Corporation concerning *Certain Radio Frequency Transmission Devices and Components Thereof*, 337-TA-_____

Dear Secretary Barton:

Complainant Zebra Technologies Corporation (“Complainant”) respectfully writes regarding an issue relevant to the above-mentioned Complaint filed pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337.

Complainant is aware that the expiration date of one of the asserted patents, U.S. Patent No. 6,895,219 (“the ’219 Patent”), is January 27, 2023, as stated in ¶ 16 of the Complaint. Complainant submits that the expiration date of the ’219 Patent poses no barrier to institution. Unique circumstances mean that this Investigation can be conducted on a shorten timeline such that an exclusion order and/or cease and desist order may issue while the patent is in force:

- Complainant has named only one company, OnAsset Intelligence, Inc. (“OnAsset”), as a Proposed Respondent. There is no need for a large Joint Defense Group to coordinate discovery or to organize enormous document productions and a large number of depositions. Complainant is prepared to respond to discovery—including the production of relevant documents and even presenting witnesses for deposition—immediately on receiving requests after institution.
- Complainant is only seeking a limited exclusion order such that there will be no need to demonstrate the heightened factors for a general exclusion order under 19 U.S.C. § 1337(d)(2) and *Certain Spray Pumps*, 337-TA-90 (Nov. 1981) (Commission Opinion).

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- The pandemic has actually allowed for much more efficient discovery. There is no expensive and time-consuming travel for depositions or document collection; initial conferences, discovery hearings, and claim construction proceedings are done virtually; and even the collection of documents has become streamlined. Where pre-pandemic document collection often required lawyers to travel to clients overseas to assist in the collection process, this work is all done virtually without the time, expense, and disruption of travel.
- Both Complainant and OnAsset are U.S.-based companies such that primary documents should be accessible without translation issues or logistical challenges posed by the pandemic. This also means that witnesses will be U.S.-based, avoiding time differences and technology challenges involving overseas video depositions.
- Complainant is only asserting two independent claims from the '219 patent such that both the infringement and invalidity analysis, and any *Markman* proceeding (if necessary), can be done efficiently and in an expedited manner.
- The '219 patent involves communications technology (such as RF transceivers and baseband processors) that is often litigated at the ITC. The technology at issue will not require undue analysis by the Commission, the ALJ, or the Staff.
- As set forth in ¶ 22 of the Complaint, there are no licensees to the '219 patent which might otherwise require third-party document and deposition discovery.
- As set forth in ¶¶ 62 and 63 of the Complaint, Complainant and OnAsset have been in litigation regarding this technology in two USDC cases. The first, pending in W.D. Texas, has been in litigation for nearly two years and is scheduled to go to trial in six months. The second, pending in N.D. Texas, has been in litigation for 8 months ***and includes the '219 patent as one of the asserted patents***. The parties in this latter case are in the midst of discovery with claim construction briefing beginning next month and a pretrial conference in less than three months. Complainant has served OnAsset with preliminary infringement contentions, and OnAsset has served preliminary invalidity contentions. The parties are, as a result, very knowledgeable about the patent, the claimed subject matter, prior art, infringement arguments, proposed claim constructions, and the like.
- The other patent asserted in the Complaint, U.S. Patent No. 7,683,788 (“the '788 patent”),¹ also involves communications technology and only involves three

¹ The '788 patent is not set to expire until August 22, 2026.

asserted claims, just one of which is independent. As such, litigation on both the '219 and '788 patents may proceed expeditiously in one Investigation.

After institution, Complainant intends to ask the assigned ALJ to enter the '219 Patent, or discrete issues pertaining to it (validity, infringement, and/or domestic industry), into the new Pilot Program permitting the presiding ALJ to order an expedited proceeding prior to the main evidentiary hearing. Complainant believes that most or all of the issues pertaining to the '219 Patent may be resolved expeditiously under the new Pilot Program.

Based on all of the above, and notwithstanding a request to seek the new Pilot Program, Complainant intends to request a 14-month Target Date from the ALJ for the completion of this Investigation. Complainant believes that this would provide ample time for the private parties to fully litigate the issues through a Final Determination before expiration of the '219 Patent (including the 30-day pre-institution phase and 60-day Post-Final Determination time for the Presidential Review Period).

Finally, Complainant submits that the scope and dynamics of a Section 337 Investigation can, and typically do, change significantly during the course of a case. Asserted claims and even entire patents are affected by fact discovery, a *Markman* ruling, expert discovery, or pretrial proceedings. Summary determination can result in a finding of infringement, validity, or satisfaction of the domestic industry requirement. Cases at the ITC frequently settle and, according to 19 CFR § 210.21(a)(1), an entire case, or even certain asserted patents, may be terminated at any time prior to the issuance of an initial determination. In short, the fluidity of an ITC case means that the expiration date of the '219 Patent may have no impact on the relief sought by Complainant here. Indeed, any risk associated with the expiration date of the '219 Patent is borne by Complainant and should not be any barrier to institution of this Investigation as to both the '219 and '788 Patents.

Thank you in advance for your consideration.

Respectfully submitted,



Eric S. Namrow
Counsel to Complainant
Zebra Technologies Corporation

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN RADIO FREQUENCY
TRANSMISSION DEVICES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-_____

COMPLAINANT’S STATEMENT ON THE PUBLIC INTEREST

Pursuant to 19 C.F.R. § 210.8(b), Complainant Zebra Technologies Corporation (“Zebra”) respectfully submits this Statement Regarding the Public Interest. Zebra seeks a limited exclusion order excluding from entry into the United States, certain radio frequency (“RF”) transmission devices and components thereof, that infringe certain claims of United States Patent Nos. 6,895,219 and 7,683,788 (collectively the “Asserted Patents”).

Zebra also seeks a permanent cease and desist order prohibiting OnAsset Intelligence, Inc. (“OnAsset” or “Proposed Respondent”), and others acting on its behalf, to cease and desist from importing, marketing, advertising, demonstrating, distributing, warehousing inventory for distribution, selling, offering for sale, using, or transferring (except for export) RF transmission devices and components thereof, that infringe the Asserted Patents.

Exclusion of these products from the United States will not have an adverse effect on the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers. Exclusion of OnAsset’s RF transmission devices and components thereof (the “Products at Issue”), which are used track cargo, would not “deprive the public of products necessary for some important health or welfare need.” *Spansion, Inc. v. U.S. Int’l Trade Comm’n*, 629 F.3d 1331, 1360 (Fed. Cir. 2010). Further, as discussed below, because Zebra and

other third-parties, can and do supply the market with RF transmission devices for asset tracking, consumers would not face any shortage of like or competitive products in the United States. Thus, this Investigation does not present an instance where a compelling public interest would supersede entry of the requested remedial orders.

I. How the Products at Issue Are Used in the United States

The OnAsset Products at Issue are RF transmitters that are used primarily in the tracking of cargo and inventory. For example, the Products at Issue are used by consumers such as logistics companies to track and monitor their shipments and inventory in warehouses. The products are also used to track the delivery of drugs for clinical trials to sites throughout the world, including the COVID-19 vaccines. The Products at Issue provide GPS tracking, cellular triangulation, motion, shock, light, and pressure sensing, and can be used to track shipments by different methods of transportation, such as via land, rail, air, or sea.

II. There are No Public Health, Safety, or Welfare Concerns Relating to the Requested Remedial Orders

The remedial orders requested by Zebra serve, rather than harm, the public interest. The Commission has recognized a very strong public interest in protecting intellectual property rights. *See, e.g., Certain Baseband Processors Chips and Chipsets, Transmitter and Receiver (Radio) Chips, Power Control Chips, and Products Containing Same, Including Cellular Telephone Handsets*, Inv. No. 337-TA-543, Comm’n Op. at 136-37 (June 19, 2007) (“we must take into account the strong public interest in enforcing intellectual property rights.”). In the few instances where the Commission has found that requested remedial orders would harm the public interest enough to deny relief, “the exclusion order was denied because inadequate supply in the U.S. – by both patentee and domestic licensees – meant that an exclusion order would deprive

the public of products necessary for some important health or welfare need....” *Spansion*, 629 F.3d at 1360.

The requested remedial orders do not raise any public health, safety, or welfare concerns, and the requested remedial orders will not significantly impact the overall market for RF transmitters in the United States. While the OnAsset RF transmitters have been used to track the delivery of drugs for clinical trials and the COVID-19 vaccines, other companies have products that do the same thing. For example, Zebra offers the TransTracker® products that monitor the conditions of medications and vaccines and location trackers to monitor the location of shipments and cargo. Other competitors such as, for example, Roambee Corporation, provide services for monitoring the tracking and condition of pharmaceutical shipments. *See, e.g.*, <https://blog.roambee.com/supply-chain-technology/pharma-track-trace-vs-shipment-monitoring>.

The strong interest in protecting Zebra’s intellectual property rights in the Asserted Patents and the domestic industry set forth in the Complaint far outweigh any hypothetical adverse affect on the public from the exclusion of OnAsset’s Products at Issue.

III. Zebra and Third Parties Make Like or Directly Competitive Articles that Could Replace the Products at Issue If There Were an Exclusion Order

Zebra manufactures and sells a wide range of RFID products and manufactures and sells RF transmitters, such as the Motionworks™ and the TransTracker® that can replace the Products at Issue. Zebra is a market leader in this industry, and thus, by itself, can manufacture and supply RF transmitters and components thereof in quantities sufficient to meet any shortfall that would occur due to a remedial order. Additionally, there are many other companies that supply similar types of RF transmitters as the Products at Issue. For example, FedEx Corporation, Moog, Inc., Sendum Wireless, , Sensitech, Inc., Adapt Ideations, and Tive, Inc. sell RF transmitters that are used to track cargo on airlines. *See, e.g.*,

<https://www.deltacargo.com/Cargo/catalog/products/approved-devices>. Additionally, as discussed above, there are other competitors including Zebra, that manufacture GPS and temperature tracking devices to monitor the delivery of pharmaceutical products and vaccines. Moreover, Honeywell manufactures products that can monitor and track assets. *See, e.g.*, <https://www.tenenga.it/en/honeywell-global-tracking-track-and-monitor-assets-anywhere/>. As a result, the requested remedial relief will not adversely impact the public interest.

IV. Zebra and Third Parties Have the Capacity to Replace the Products at Issue in a Commercially Reasonable Time

No public interest concerns exist when the market contains an adequate supply of competitive or substitute products for those subject to a remedial order. *See, e.g., Certain Lens-Fitted Film Packages*, Inv. No. 337-TA-406, Comm’n Op. at 18 (June 18, 1999). As stated above, Zebra, as the market leader, has the capacity to replace the volume of the Products at Issue with like or similar articles with no delay in availability for consumers. Also, other RF transmitter suppliers, such as FedEx Corporation, Moog, Inc., Sendum Wireless, Sensitech, Inc., Adapt Ideations, and Tive, Inc., can also help replace the volume of excluded articles in a commercially reasonable amount of time.

V. The Requested Remedial Orders Will Not Impact Consumers

Consumers in the United States will not experience any adverse impact as a result of Zebra’s requested remedial orders. As discussed above, Zebra and other this parties have the capacity to fill any void left by the exclusion of the Products at Issue. Therefore, the requested remedial orders in this matter will not significantly impact United States consumers.

VI. Conclusion

For the reasons set forth above, the public interest does not weigh against issuance of the requested relief in this Investigation.

Dated: July 28, 2021

Respectfully Submitted,



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Counsel for Complainant

Zebra Technologies Corporation

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN RADIO FREQUENCY
TRANSMISSION DEVICES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-_____

**COMPLAINT UNDER SECTION 337
OF THE TARIFF ACT OF 1930, AS AMENDED**

Complainant

Zebra Technologies Corporation
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Lincolnshire, IL 60069
847-634-6700

Proposed Respondent

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8407 Sterling Street
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972-659-1619

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TABLE OF DOCUMENTARY EXHIBITS

Exh No.	Description
1	Certified Copy of U.S. Patent No. 6,895,219
2	Certified copy of the assignment record for U.S. Patent No. 6,895,219
3	Certified Copy of U.S. Patent No. 7,683,788
4	Certified copy of the assignment record for U.S. Patent No. 7,683,788
5	Domestic Industry chart showing practicing of U.S. Patent No. 6,895,219 by Zebra EC55 Enterprise Computer.
6	Infringement chart showing infringement of U.S. Patent No. 6,895,219 by OnAsset Sentry 500 FlightSafe®.
7	Domestic Industry chart showing practicing of U.S. Patent No. 7,683,788 by Zebra ATR7000 Fixed RFID Reader.
8	Infringement chart showing infringement of U.S. Patent No. 7,683,788 by OnAsset Sentry 500 FlightSafe®.
9	OnAsset Airline Approvals
10	Intentionally Omitted
11C	Confidential Domestic Industry Declaration
12	EC55 Spec Sheet, available at https://www.zebra.com/content/dam/zebra_new_ia/en-us/solutions-verticals/product/Mobile_Computers/Hand-Held%20Computers/ec50-ec55/spec-sheet/ec50-ec55-spec-sheet-en-us.pdf
13	EC55 Product Page, available at https://www.zebra.com/us/en/products/mobile-computers/handheld/ec50-ec55.html
14	EC55 teardown images
15	NFC Forum homepage, available at https://nfc-forum.org
16	Snapdragon 660 Mobile Platform webpage, available at https://www.qualcomm.com/products/snapdragon-660-mobile-platform
17	Qualcomm SDM660 Features and Specifications, available at https://www.qualcomm.com/products/sdm660
18	Snapdragon 600 Processor webpage, available at https://www.qualcomm.com/products/snapdragon-processors-600
19	Hexagon DSP Processor webpage, available at https://developer.qualcomm.com/software/hexagon-dsp-sdk/dsp-processor
20	https://www.qualcomm.com/media/documents/files/sdm-sda660-product-brief.pdf
21	USPTO Trademark Record for FLIGHTSAFE, Serial No. 77888862, Reg. No. 3905566
22	SENTRY 500 FLIGHTSAFE®, available at < https://onasset.com/sentry500-flightsafereg.html >, < https://onasset.com/sentry500flightsafe.html >
23	IP, available at < https://onasset.com/ip.html >
24	OnAsset Announces SENTRY 600 FlightSafe Industrial IoT Platform, available at < https://onasset.com/onasset-announces-sentry-600-flightsafe-industrial-iot-platform.html >
25	Sentry 500 teardown images
26	Products, available at < https://onasset.com/products.html >

Exh No.	Description
27	Sentry 500 Air Cargo Tracker datasheet, available at https://www.sensitech.com/zh/media/Sentry_500_Air_Cargo_Tracker_LS_0218_tcm41-10387.pdf
28	User Manual, OET List Exhibits Report, <i>available at</i> < https://apps.fcc.gov/oetcf/eas/reports/ViewExhibitReport.cfm?mode=Exhibits&RequestTimeout=500&calledFromFrame=N&application_id=gz4ezsiYdngal4Yr2VblrQ%3D%3D&fcc_id=RI7HE910 > at User Manual (https://apps.fcc.gov/eas/GetApplicationAttachment.html?id=1654390)
29	HE910 Family Product Description, <i>available at</i> < https://www.telit.com/wp-content/uploads/2017/09/Telit_HE910_Product_Description_r11.pdf >
30	Test Report, OET List Exhibits Report, <i>available at</i> < https://apps.fcc.gov/oetcf/eas/reports/ViewExhibitReport.cfm?mode=Exhibits&RequestTimeout=500&calledFromFrame=N&application_id=gz4ezsiYdngal4Yr2VblrQ%3D%3D&fcc_id=RI7HE910 > at Test Report (https://apps.fcc.gov/eas/GetApplicationAttachment.html?id=1654375)
31	USPTO Trademark Record for FLIGHTSAFE, Serial No. 77888870, Reg. No. 3978933
32	Texas Instruments CC2541 Data Sheet, at 2 (highlighted), available at https://www.ti.com/lit/ds/symlink/cc2541.pdf?ts=1619191518472
33	OnAsset SENTRY FlightSafe brochure, available at http://www.firpr.com/PDFs/Backgrounder-WP/FlightSafe-Backgrounder.pdf
34	STM32F205xx/STM32F207xx datasheet, available at https://www.st.com/resource/en/datasheet/stm32f205rb.pdf
35	Internal Pictures, OET List Exhibits Report, <i>available at</i> < https://apps.fcc.gov/oetcf/eas/reports/ViewExhibitReport.cfm?mode=Exhibits&RequestTimeout=500&calledFromFrame=N&application_id=gz4ezsiYdngal4Yr2VblrQ%3D%3D&fcc_id=RI7HE910 > at Internal Pictures (https://apps.fcc.gov/eas/GetApplicationAttachment.html?id=1654391)
36	https://onasset.com/warehouse.html , https://onasset.com/connected-warehouse.html
37	Bluetooth SIG, “Bluetooth 5,” available at https://www.bluetooth.com/wp-content/uploads/2019/03/Bluetooth_5-FINAL.pdf
38	https://www.onasset.com/about.html
39	STMicroelectronics, Application Note AN4841, available at https://www.st.com/resource/en/application_note/dm00273990-digital-signal-processing-for-stm32-microcontrollers-using-cmsis-stmicroelectronics.pdf
40	ECE 445 Design Document for Team 43 (02/22/2018), available at https://courses.engr.illinois.edu/ece445/getfile.asp?id=12503
41	https://www.samma3a.com/tech/en/bluetooth-does-the-source-matter/
42	https://news.northeastern.edu/2016/10/17/3qs-why-bluetooth-headphones-are-better-than-you-might-think/
43	S. Ahmed <i>et al</i> , Fast Acquisition of GPS Signal Using FFT Decomposition, available at https://www.sciencedirect.com/science/article/pii/S1877050916304860#

Exh No.	Description
44	W. Yang <i>et al</i> , A Fast Acquisition Method Of DSSS Signals Using Differential Decoding And Fast Fourier Transform, available at https://link.springer.com/article/10.1007/s11771-013-1613-9 (accessed March 16, 2021)
45	https://www.tutorialspoint.com/gsm/gsm_overview.htm
46	IET, Global System for Mobile Communication (GSM), http://www.uky.edu/~jclark/mas355/GSM.PDF
47	https://www.gartner.com/en/information-technology/glossary/wcdma-wideband-code-division-multiple-access
48	S. Rezenom <i>et al</i> , Carrier Frequency Offset Estimation in WCDMA Systems Using a Modified FFT-Based Algorithm, available at https://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.469.8859&rep=rep1&type=pdf
49	https://tss.se/sentry-500-gps-logger/
50	https://en.wikipedia.org/wiki/Cellular_network
51	ATR7000 Product Spec Sheet, available at https://www.zebra.com/content/dam/zebra_new_ia/en-us/solutions-verticals/product/RFID/atr7000/spec-sheet/atr7000-spec-sheet-en-us.pdf
52	ATR7000 Operation Description
53	ATR7000 product webpage, available at https://www.zebra.com/us/en/products/spec-sheets/rfid/rfid-readers/atr7000.html
54	ATR 7000 teardown images
55	https://www.analog.com/media/en/technical-documentation/data-sheets/ADSP-BF606_607_608_609.pdf
56	https://onasset.com/process-visibility-.html
57	“OnAsset Intelligence Successfully Conducts World's Largest Industrial Bluetooth Density Test,” OnAsset Press Release, available at https://www.bloomberg.com/press-releases/2020-04-21/onasset-intelligence-successfully-conducts-world-s-largest-industrial-bluetooth-density-test
58	Tosi, J <i>et. al.</i> , “Performance Evaluation of Bluetooth Low Energy: A Systematic Review,” DOI 10.3390/s17122898 (Dec 2017), at Fig. 3, available at https://www.researchgate.net/figure/BLE-frequency-channels-It-can-be-noticed-that-channels-from-0-36-are-assigned-to-data_fig3_321800210
59	A. Kalnoskas, “Bluetooth LE gateway reads 12,000 Sentinel BLE 5 tags in less than a minute,” <i>MicroController TiPS</i> , April 21, 2020
60	https://www.clinicaltrialsarena.com/contractors/clinical_logistics/onasset-intelligence/
61	Screenshot of OnAsset’s Sentinel App, available at https://apps.apple.com/us/app/onasset-sentinel/id1246070941
62	OnAsset Terms of Service
63	https://www.imei.info/?imei=014144000020214
64	https://asecare.att.com/tutorials/viewing-recent-device-locations-using-the-att-cargo-view-with-flight-safe-cargo-view-application/?product=AT&T%20Cargo%20View%20with%20FlightSafe

Exh No.	Description
65	https://asecare.att.com/tutorials/locating-a-device-by-device-tag-id-using-the-att-cargo-view-with-flightsafe-cargo-view-application/?product=AT&T%20Cargo%20View%20with%20FlightSafe
66	https://asecare.att.com/tutorials/determining-the-firmware-version-of-a-device-in-the-device-list-using-the-att-cargo-view-with-flightsafe-cargo-view-application/?product=AT&T%20Cargo%20View%20with%20FlightSafe
67	https://www.att.com/Investor/ATT_Annual/2014/att_cargo_view.html
68	https://web.archive.org/web/20160318232053/http://www.business.att.com/enterprise/Service/internet-of-things/asset-management/iot-cargo-view/
69	AT&T Cargo View Product Brief, available at https://www.ciosummits.com/Cargo-View-Product-Brief.pdf
70	https://onasset.com/about-us/
71	https://www.deltacargo.com/Cargo/catalog/products/approved-devices
72	https://www.unitedcargo.com/shipping/productsAndShipping/GPSandTrackingDevices.jsp
73	https://www.aacargo.com/ship/flightsafe.html

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I. INTRODUCTION

1. Complainant, Zebra Technologies Corporation (“Zebra” or “Complainant”), respectfully requests that the United States International Trade Commission commence an investigation pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, to remedy the unlawful importation into the United States, sale for importation into the United States, and/or the sale within the United States after importation by the owner, importer, or consignee, of certain radio frequency (“RF”) transmission devices and components thereof that infringe valid and enforceable United States patents owned by Zebra.

2. The Proposed Respondent is OnAsset Intelligence, Inc. (“OnAsset”). Upon information and belief, OnAsset has engaged in unfair acts in violation of Section 337 through, and in connection with, the unlicensed importation into the United States, sale for importation into the United States, and/or sale within the United States after importation of products that infringe one or more claims of United States Patent Nos. 6,895,219 (the “’219 patent”) and 7,683,788 (the “’788 patent”) (collectively, the “Asserted Patents”).

3. Zebra asserts that OnAsset infringes, directly or indirectly, either literally or under the doctrine of equivalents, at least the following claims (independent claims in **bold**; collectively, the “Asserted Claims”):

Asserted Patent	Asserted Claims
U.S. Patent No. 6,895,219	1 , 3, 4, 5, 6, 7, 8, 10 , 11, 13, 14, 15, and 16
U.S. Patent No. 7,683,788	17 , 18, and 19

4. As required by 19 U.S.C. § 1337(a)(2), and defined by 19 U.S.C. § 1337(a)(3), an industry in the United States exists relating to articles covered by the Asserted Patents.

5. Complainant seeks, as relief, a limited exclusion order barring from entry all infringing RF transmission devices and components thereof imported, by or on behalf of,

OnAsset or any of its affiliate companies, parents, subsidiaries, licensee, or other related business entities, or their successors or assigns.

6. Complainant also seeks, as relief, permanent cease and desist orders against OnAsset prohibiting the importation, sale, offer for sale, marketing, advertising, solicitation, distributing, or transfer (other than for exportation) of any imported infringing RF transmission devices and components thereof, or aiding and abetting any other entity in the same.

7. Complainant further seeks the imposition of a bond upon importation of any infringing RF transmission devices and components thereof during the Presidential review period.

II. THE PARTIES

A. Complainant Zebra Technologies Corporation

8. Zebra is a Delaware corporation having a principal place of business at 3 Overlook Point, Lincolnshire, Illinois 60069.

9. Zebra is a global enterprise technology leader with a comprehensive product portfolio spanning mobile computer terminals to Radio-frequency identification (“RFID”) printers, to barcode scanners, to product location and tracking devices. Zebra’s portfolio of RF transmission devices includes a range of mobile computer terminals, Bluetooth Low Energy (“BLE”), and RFID enabled devices customizable to meet the needs of its customers:



EC55 Enterprise Computer



MC2700 Mobile Computer



FX9600 Fixed RFID Reader



WT6300 Wearable Terminal



L10 Series Android Rugged Tablets



MB6000 Mobile IoT Bridge

B. Proposed Respondent

1. OnAsset Intelligence, Inc.

10. On information and belief, OnAsset is a corporation existing under the laws of Texas with its principal place of business at 8407 Sterling Street, Irving, Texas 75063.

11. On information and belief, OnAsset “works closely with the world’s leading regulatory authorities and airlines to ensure that [OnAsset’s] products meet regulatory requirements to support the mandatory airline approval process.” OnAsset has supplied with a complete technical and aviation legislation pack to facilitate this approval process, and sold one or more accused products to at least 86 airlines. *See, e.g.*, Exhibit 9 (OnAsset Airline Approvals).

12. OnAsset provides its customers with instructions for making, using, offering for sale, selling, and/or importing the accused products without the authority of Zebra. For example, OnAsset provides its customers with terms of service requiring the customers to use one or more accused products in an infringing manner. *See* Exhibit 62 at Section 2.7.

13. As set forth below, certain OnAsset RF transmission devices and components thereof that infringe one or more of the Asserted Patents, are imported into the United States, sold for importation into the United States, and/or sold within the United States after importation.

III. THE TECHNOLOGY AND PRODUCTS AT ISSUE

14. Pursuant to 19 C.F.R. §§ 210.10(b)(1) and 210.12(a)(12), Complainants’ clear statement in plain English of the category of products accused is as follows: The products at issue are: (i) RF transmission devices generally capable of transmitting and receiving data; and (ii) components of such RF transmission devices—in particular, enclosures, transceivers and processors.

15. On information and belief, the RF transmission devices and components thereof are caused to be manufactured overseas by OnAsset or one or more of its affiliates. The accused RF transmission devices and components thereof are imported into the United States after manufacture abroad, and are in turn sold to consumers for use in the United States.

IV. THE ASSERTED PATENTS

A. U.S. Patent No. 6,895,219

1. Identification of Patent and Ownership

16. United States Patent No. 6,895,219, entitled “Dual use of FFT circuitry in imagers and transceivers,” names Raj Bridgelall as its inventor and issued on May 17, 2005. The ’219 patent issued from U.S. Patent Application Serial No. 09/939,861, filed on August 27, 2001. The ’219 patent has sixteen (16) claims. A certified copy of the ’219 patent is attached to the Complaint as Exhibit 1. The ’219 patent expires on January 27, 2023.

17. Zebra owns by assignment the entire right, title, and interest in and to each of the Asserted Patents. Pursuant to Commission Rule 210.12(a)(9)(ii), a certified copy of the assignment record for the ’219 patent is attached as Exhibit 2.

18. Pursuant to Commission Rule 210.12(c)(1), Complainant has filed with this Complaint certified copies of the prosecution history of the ’219 patent as Appendix A. In addition, pursuant to Commission Rule 210.12(c)(2), Complainant has filed with this Complaint four copies of each patent and applicable pages of each technical reference mentioned in the prosecution history of the ’219 patent as Appendix B.

2. Non-Technical Description of the Patented Invention

19. The ’219 patent addresses systems and methods for transmission using multiple communications standards by a single device. Claim 1, for example, is generally directed to a communication module containing a support, at least two RF transceivers for transmitting data according to different communications standards, and a common baseband processor for processing baseband signals in the transceivers.¹

¹ The general descriptions of the patented technologies are not intended and should not be understood to limit the scope of any claim or to be used for purposes of claim construction. Complainants present these

3. Foreign Counterparts

20. Pursuant to 19 C.F.R. § 210.12(a)(9)(v), Complainant is aware of the following foreign patents or patent applications (including any that have been denied, abandoned or withdrawn) corresponding to the '219 patent:

Application/Patent No.	Jurisdiction(s)	Filing Date	Status
DE10211923	Germany	March 28, 2002	Active
GB2379363	United Kingdom	March 22, 2002	Active
JP4312414	Japan	April 18, 2002	Active
FR2828952	France	April 25, 2002	Active

21. Complainant states that it is not aware of any additional foreign patents or patent applications (including any that have been denied, abandoned or withdrawn) corresponding to the '219 patent.

4. Licensees

22. Pursuant to 19 C.F.R. § 210.12(a)(9)(iii), Zebra does not currently license the '219 patent.

B. U.S. Patent No. 7,683,788

1. Identification of Patent and Ownership

23. United States Patent No. 7,683,788, entitled "Reader for RFID transponders and corresponding method," names Christopher Gordon Gervase Turner as its inventor and issued on March 23, 2010. The '788 patent issued from U.S. Patent Application Serial No. 10/595,529, filed on October 25, 2004. The '788 patent claims priority to GB0325026A, filed on October 27, 2003. The '788 patent has twenty-one (21) claims. A certified copy of the '788 patent is attached to the Complaint as Exhibit 3. The '788 patent expires on August 22, 2026.

statements subject to and without waiver of their right to argue that claim terms should be construed in a particular way under claim construction jurisprudence and the relevant evidence.

24. Zebra owns by assignment the entire right, title, and interest in and to each of the Asserted Patents. Pursuant to Commission Rule 210.12(a)(9)(ii), a certified copy of the assignment record for the '788 patent is attached as Exhibit 4.

25. Pursuant to Commission Rule 210.12(c)(1), Complainant has filed with this Complaint certified copies of the prosecution history of the '788 patent as Appendix C. In addition, pursuant to Commission Rule 210.12(c)(2), Complainant has filed with this Complaint four copies of each patent and applicable pages of each technical reference mentioned in the prosecution history of the '788 patent as Appendix D.

2. Non-Technical Description of the Patented Invention

26. The '788 patent addresses apparatuses and methods that relate to reading of electronic tags, such as RFID or Bluetooth tags. Claim 17, for example, is generally directed to a method of providing multiple wireless transceivers with a common reference frequency, and controlling at least one of the transceivers from a control unit to read a tag.²

3. Foreign Counterparts

27. Pursuant to 19 C.F.R. § 210.12(a)(9)(v), Complainant is aware of the following foreign patents or patent applications (including any that have been denied, abandoned or withdrawn) corresponding to the '788 patent:

Application/Patent No.	Jurisdiction(s)	Filing Date	Status
EP1695257	European	October 25, 2004	Withdrawn
GB0325026	United Kingdom	October 27, 2003	Ceased
CN1890675	China	October 25, 2004	Withdrawn
WO2005043447	PCT	October 25, 2004	Published

² The general descriptions of the patented technologies are not intended and should not be understood to limit the scope of any claim or to be used for purposes of claim construction. Complainant presents these statements subject to and without waiver of their right to argue that claim terms should be construed in a particular way under claim construction jurisprudence and the relevant evidence.

28. Complainant states that it is not aware of any additional foreign patents or patent applications (including any that have been denied, abandoned or withdrawn) corresponding to the '788 patent.

4. Licensees

29. Pursuant to 19 C.F.R. § 210.12(a)(9)(iii), Zebra does not currently license the '788 patent.

V. UNLAWFUL AND UNFAIR ACTS OF THE PROPOSED RESPONDENTS

30. As set forth in paragraphs two and three, *supra*, OnAsset has engaged in unlawful and unfair acts including the sale for importation into the United States, the importation into the United States, and/or the sale within the United States after importation of accused RF transmission devices and components thereof that infringe, directly or indirectly, literally or under the doctrine of equivalents, at least the Asserted Claims of the Asserted Patents.

31. On information and belief, the opportunity for additional discovery will likely result in the identification of additional RF transmission devices and components thereof, that infringe one or more of the Asserted Patents, as well as additional manufacturers, importers, distributors, and retailers of such infringing products.

B. Patent Infringement by OnAsset Intelligence, Inc.

32. OnAsset directly and/or indirectly infringes each Asserted Patent. On information and belief, OnAsset imports into the United States, sells for importation, and/or sells within the United States after importation at least the accused Sentry 500 FlightSafe® tracking device (“Sentry 500” or “Sentry”), alone or in conjunction with Sentinel 100 sensor tag, Sentinel 100L logger tag, Sentinel 100A anchor tag, and Sentinel 100P sensor tag (collectively, “Sentinel tags”) (collectively, the “Accused Products”).

33. Claim charts demonstrating how the Accused Products infringe the Asserted

Patents, either literally or under the doctrine of equivalents, are attached hereto as Exhibits 6 and 8.

34. For example, Exhibit 6 is a claim chart showing how OnAsset's Sentry 500 FlightSafe product includes all of the elements of multiple claims of the '219 Patent, including, *e.g.*, independent claims 1 and 10. As shown in Exhibit 6, the OnAsset Sentry 500 directly infringes the Asserted Claims of the '219 Patent.

35. As another example, Exhibit 8 is a claim chart showing how OnAsset's Sentry 500 FlightSafe product, when used in conjunction with, *e.g.*, OnAsset's Sentinel 100 tag, practices the method of claim 17 of the '788 Patent. This chart further explains how this method is performed by, *e.g.*, OnAsset's customers and/or partners when using the Accused Products as instructed or encouraged by OnAsset. As shown in Exhibit 8, OnAsset's Sentry 500 FlightSafe product, when used in conjunction with OnAsset's Sentinel 100 tag indirectly infringes the '788 Patent.

36. OnAsset specifically intends and induces its customers, distributors and/or end users to directly infringe in the United States the Asserted Patents at least by providing instructions indicating how to use and/or operate the Accused Products. *See* Exhibits 28, 62. On information and belief, those customers, distributors, and/or end users directly infringe in the United States the Asserted Patents pursuant to OnAsset's inducement. OnAsset was aware of its infringement of the '788 Patent at least as early as the filing of this Complaint.

37. Additionally, OnAsset contributorily infringes the '788 Patent. OnAsset contributes to the infringement by its customers, distributors, and/or end users as it has known, at least as of the service of the Texas Complaint, that the Accused Products are especially made or especially adapted for use in an infringement of the '788 Patent. OnAsset has known, at least as

of the filing of this Complaint, that the Accused Products are especially made or especially adapted for use in an infringement of the '788 patent. Additionally, the Accused Products are not staple articles or commodities of commerce suitable for substantial non-infringing use.

VI. SPECIFIC ACTS OF UNFAIR IMPORTATION AND SALE

38. On information and belief, OnAsset has imported, sold for importation, and/or sold after importation, and will continue importing, selling for importation, and/or selling within the United States after importation RF transmission devices and components thereof, that infringe one or more of the Asserted Patents, in violation of Section 337.

39. Photographs of the front and back of the Sentry 500 are shown below:



40. As shown on the label of the of the OnAsset Sentry 500 pictured above, the OnAsset Sentry 500 is assembled in the Philippines.

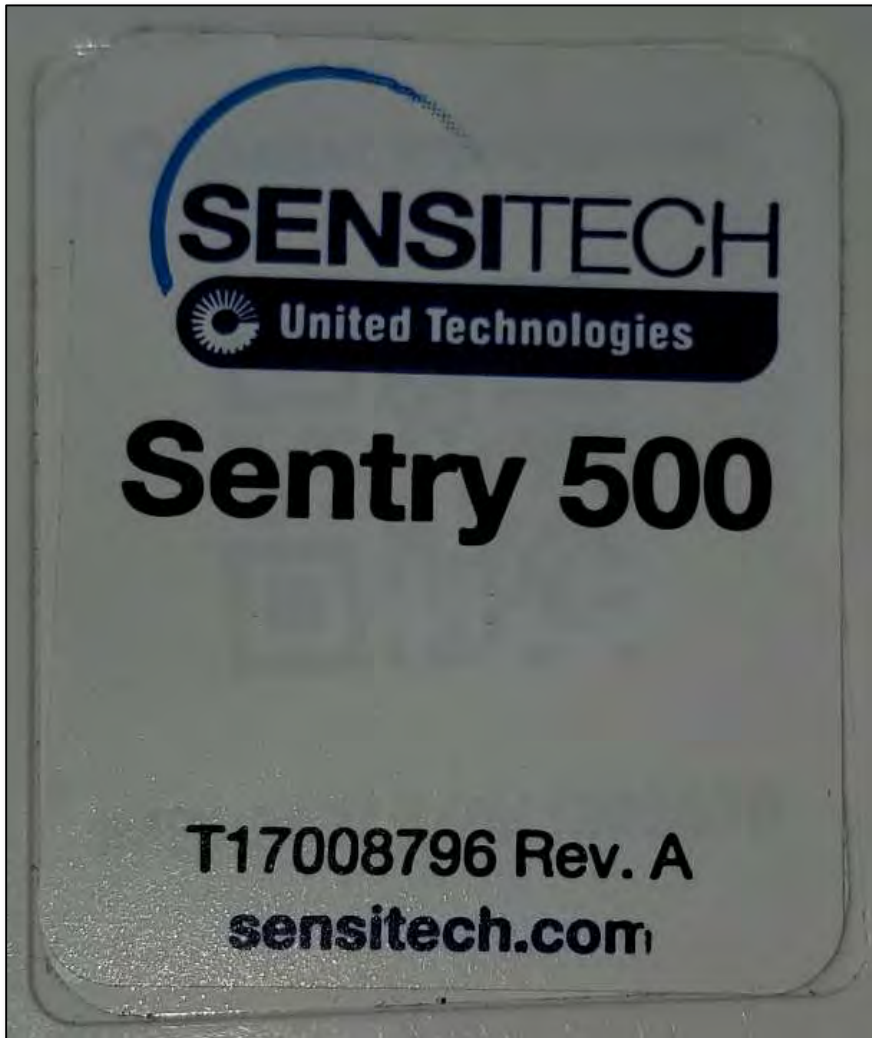
41. On information and belief, OnAsset imports the Sentry 500 and uses, sells, and offers to sell the Sentry 500 in the U.S.

42. On information and belief, OnAsset uses third-party resellers to resell the Sentry 500 in the U.S. For example, as shown in the picture above, an AT&T logo is branded on the front of the Sentry 500. As another example, on information and belief, Sensitech resells the Sentry 500 after it has been imported by OnAsset into America. The front and back of the Sensitech-branded Sentry 500 is shown below:



43. As shown above, the OnAsset sticker on the back of the Sensitech-rebranded Sentry 500 identifies the Sentry 500 as being “Designed by OnAsset Intelligence, Inc.” The Sensitech sticker on the front of the device is placed over an OnAsset sticker identifying the

product as an OnAsset Sentry 500 (shown in paragraph 39, *supra*). As shown below, the OnAsset sticker is visible beneath the Sensitech sticker:



44. On Information and belief, the Accused Products are assembled outside of the United States and imported into the United States, by or on behalf of OnAsset for sale in the United States. For example, as highlighted below, the labeling on the Sentry 500 indicates it is assembled in the Philippines (*i.e.*, “Assy in Philippines”).



45. As shown above, the labeling for the Sentry 500 also indicates an FCC ID of RI71HE910.

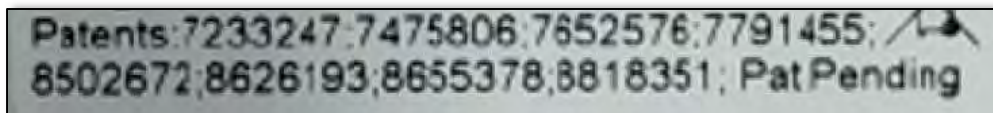
46. Although this FCC ID is registered to Telit, its inclusion on the Sentry 500 product label confirms that the Sentry 500 that incorporates it is designed to be used in the U.S.

47. As shown above, the Sentry 500 label includes an International Mobile Equipment Identity (“IMEI”) number (*i.e.*, 014144000020214). As shown on IMEI^{info}’s public IMEI-checking site, available at Ex. 63, <https://www.imei.info/?imei=014144000020214>, excerpted below, the IMEI number shows that the device is an “ONASSET” brand “SENTRY

500 FLIGHTSAFE” device:

Model:	SENTRY 500 FLIGHTSAFE
Brand:	ONASSET
IMEI:	TAC: 014144 FAC: 00 SNR: 002021 CD: 4

48. Additionally, as shown below in an excerpted portion of the label on the back of the Sentry 500 devices, OnAsset marks the Sentry 500 with eight (8) United States patents: 7,233,247; 7,475,806; 7,652,576; 7,791,455; 8,502,672; 8,626,193; 8,655,378; and 8,818,351. These patents were filed by and are presently owned by OnAsset or its wholly-owned subsidiary.



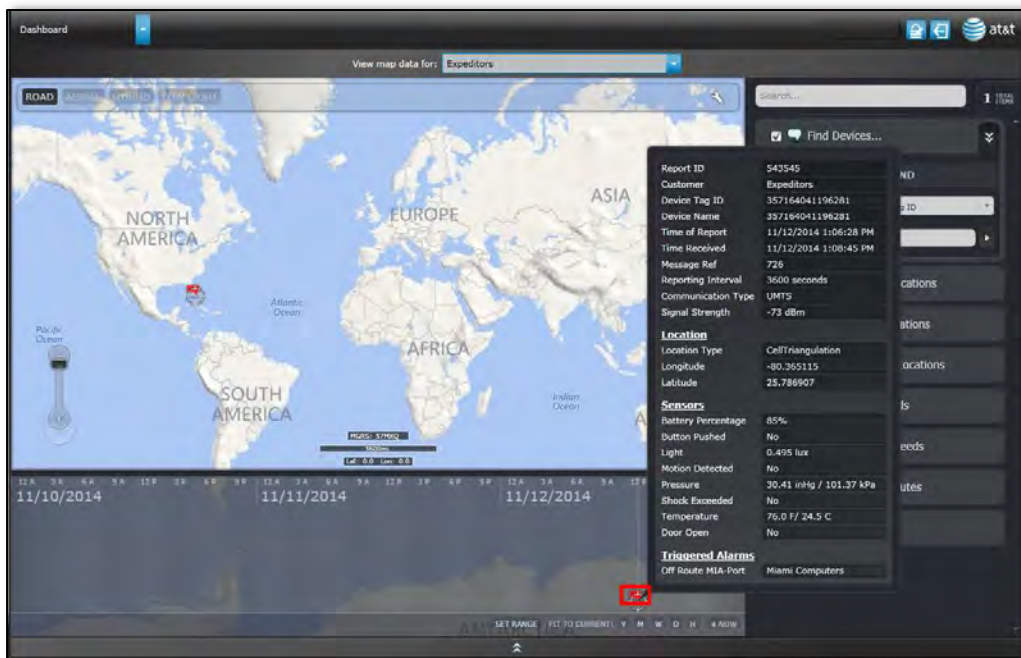
49. On information and belief, the Sentry 500 is sold under other names, such as the AT&T Cargo View with FlightSafe.

50. Sensitech advertises the Sentry 500 (which is designed by OnAsset) in the United States. Ex. 27,

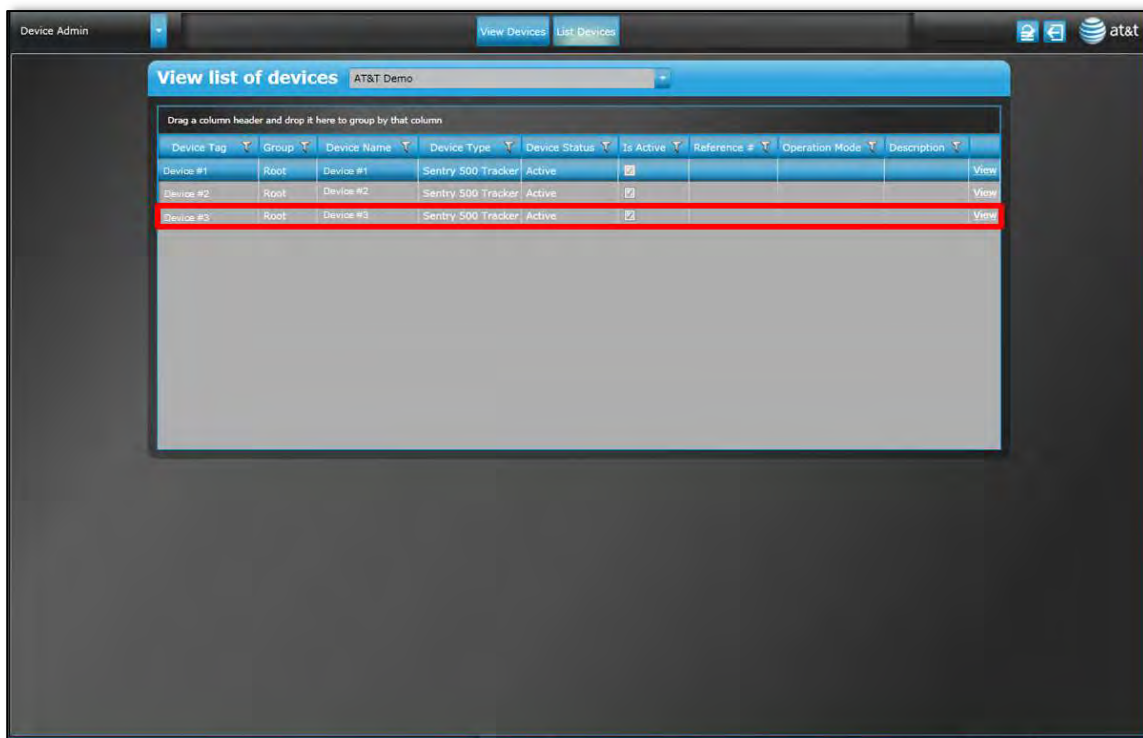
https://www.sensitech.com/zh/media/Sentry_500_Air_Cargo_Tracker_LS_0218_tcm41-10387.pdf. A picture of the device from the Sensitech URL above is shown below:



51. AT&T's website shows the Sentry 500 has been imported to the U.S. See, Ex. 64, <https://asecare.att.com/tutorials/viewing-recent-device-locations-using-the-att-cargo-view-with-flightsafe-cargo-view-application/?product=AT&T%20Cargo%20View%20with%20FlightSafe> (showing the device in Florida as confirmed by “CellTriangulation”) and Ex. 65, <https://asecare.att.com/tutorials/locating-a-device-by-device-tag-id-using-the-att-cargo-view-with-flightsafe-cargo-view-application/?product=AT&T%20Cargo%20View%20with%20FlightSafe> (showing the device triggering an “off Route MIA-Port” alarm. (MIA is the airport code for Miami International Airport, in Miami, Florida.)



52. A separate page of the same AT&T tutorial confirms that the device is the “Sentry 500 Tracker.” See Ex. 66, <https://asecare.att.com/tutorials/determining-the-firmware-version-of-a-device-in-the-device-list-using-the-att-cargo-view-with-flightsafe-cargo-view-application/?product=AT&T%20Cargo%20View%20with%20FlightSafe> (annotation in original):



53. AT&T states that the device “meet[s] FAA regulations,” confirming it is designed to be used in the U.S. *See* Ex. 67,

https://www.att.com/Investor/ATT_Annual/2014/att_cargo_view.html (“In fact, while en route, the FlightSafe sensors automatically switch to airplane mode to meet FAA regulations.”). An image of the Sentry 500 product displayed on AT&T’s website (Ex. 68, <https://web.archive.org/web/20160318232053/http://www.business.att.com/enterprise/Service/Internet-of-things/asset-management/iot-cargo-view/>) is shown below:



54. AT&T states in its Cargo View brochure that “AT&T Cargo View with FlightSafe® uses the SENTRY 500 FlightSafe® device, provided by OnAsset Intelligence, Inc.” and that it operates “over the AT&T network.” *See* AT&T Cargo View Product Brief, at 4 (Ex. 69), and available at <https://www.ciosummits.com/Cargo-View-Product-Brief.pdf>. Page 3 of the brochure shows the Sentry 500 device being used on planes and ground-based trucks in the United States:



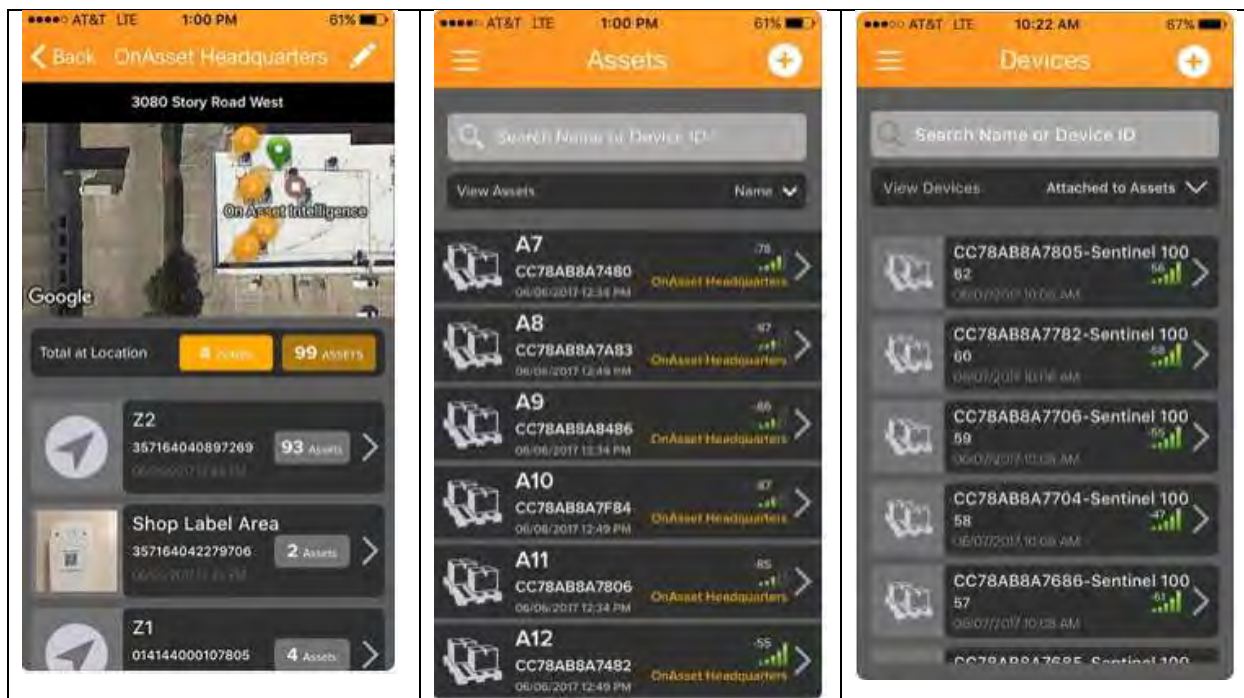
55. On information and belief, OnAsset’s Sentinel devices are assembled outside of the United States, in at least China. For example, an image of the Sentinel 100 label reproduced

from OnAsset's website and product manual specifies "Assy in China".



56. The Sentinel also has an FCC ID that evidences the product is intended for use in the United States.

57. In its Apple AppStore demo images for its OnAsset Sentinel iPhone application, OnAsset provides "iPhone Screenshots" which, taken together, confirm that multiple "Sentinel 100" devices are being used at its "Headquarters" at "3080 Story Road West," in Irving, Texas. See Ex. 61, <https://apps.apple.com/us/app/onasset-sentinel/id1246070941>:



58. Additionally, multiple United States airlines list the Accused Products as approved devices for their airplanes. On its website, OnAsset asserts its products are “approved by more airlines than any other asset monitoring technology provider” and “are fully compliant with federal regulations and documentation requirements,” and then specifically list multiple U.S.-based airlines, including, *e.g.* American Airlines, United Airlines, Delta Air Lines, Alaska Airlines, Hawaiian Airlines, jetBlue, Southwest Airlines, SkyWest Airlines, and Shuttle America, as well as U.S.- based cargo carriers, including, *e.g.*, United Parcel Service (UPS). See Ex. 70, <https://onasset.com/about-us/>:



59. For example, Delta Airlines, based in Atlanta, Georgia, lists on its website (Ex. 71, <https://www.deltacargo.com/Cargo/catalog/products/approved-devices>) some of the Accused Products as being “Approved GPS Devices”.

Approved GPS Devices
• Sendum PT300 • Sendum PT300D • AT&T Cargo View with FlightSafe • Moog-Crossbow ILC2000 • OnAsset Sentinel 100 FlightSafe • OnAsset Sentinel 100A FlightSafe • OnAsset Sentinel 100B FlightSafe • OnAsset Sentinel 100L FlightSafe • SenseAware 2000 • 7P GD100 • 7P GL300 WCDMA/ GSM • OnAsset Sentinel 100P FlightSafe • OnAsset Sentinel 100S FlightSafe • OnAsset SENTRY 400 FlightSafe • OnAsset SENTRY 500 FlightSafe • SenseAware 1000 • FedEx SenseAware 3000 • Adapt Ideations Kelvin Data Logger • Tive TT-7000 • Tive TT-7100 • Sensitech TempTale GEO Ultra also named VizComm View Ultra • Sensitech TempTale GEO Ultra Dry Ice • Sensitech TempTale GEO Ultra Extended also named VizComm View Ultra Extended • Sensitech TempTale GEO Ultra Extended Dry Ice

60. United Airlines, based in Chicago, Illinois, lists on its website (Ex. 72, <https://www.unitedcargo.com/shipping/productsAndShipping/GPSandTrackingDevices.jsp>) some of the Accused products as permitted tracking devices.

GPS and tracking devices	
■ 7PSolutions GD100 ■ 7PSolutions GL200-Tracker ■ 7PSolutions GL300W ■ CalAmp SC Ion Bluetooth Tag ■ CalAmp SC1000/1004 ■ CalAmp SC1100/1102 ■ CalAmp SC1302 ■ CartaSense U-Sensor/CCM ■ Controlant EHF Model CO 10.01 ■ Controlant Saga ■ Cubic Global Sentinel-5B ■ Cubic Global Sentinel-5L ■ Cubic Mesh Asset Tag RSU-3 ■ DataLong16 DL 16-08-GS-A	■ JetPro ProPod ■ Kirsen A-Type ■ Moog Crossbow ILC2000 ■ OnAsset Sentinel 100 ■ OnAsset SENTRY 400 FlightSafe ■ OnAsset SENTRY 500 FlightSafe ■ RoamBee "BeeSense Air" aka BeeSense Flight Safe Tracking Device Model BL-NL-CC-3 ■ RoamBee "BeeSense" Tracking Device Model BB-SEC-1 ■ RoamBee "BeeSense" Tracking Device Model BB-TPH-1 ■ RoamBee "BeeSense" Tracking Device Model RMBU_3GTR ■ Sendum Wireless PT300 ■ SenseAware PT300D ■ Sensitech Tag Alert Enhanced ■ Sensitech Tag Alert Standard

61. Fort Worth, Texas-based American Airlines states on its website that “[a]s part of our partnership with OnAsset Intelligence®, FlightSafe gives you real peace of mind by providing state-of-the-art tracking on your most time-critical, high-value and temperature-sensitive shipments” and specifically states it supports “U.S. Domestic... [d]eliver[y]” and that “[d]evices [may be] inside the U.S.” See Ex. 73, <https://www.aacargo.com/ship/flightsafe.html>.

VII. RELATED LITIGATION

62. On January 8, 2021, Zebra filed a patent infringement complaint in *Zebra Technologies Corporation v. OnAsset Intelligence, Inc.*, Case No. 3:21-cv-00055-K (N.D. Tex.) alleging infringement of the '219 patent, along with a second patent not included in this investigation. Claim construction briefing begins in August 2021 and a pretrial conference has been scheduled for October 2022. No trial date has been scheduled.

63. On October 22, 2019, Intellectual Tech LLC, a wholly owned subsidiary of OnAsset, filed a patent infringement complaint against Zebra in *Intellectual Tech LLC v. Zebra Technologies Corp.*, Case No. 19-cv-00628-ADA (W.D. Tex.) alleging infringement of one patent. The parties are in discovery. Trial in this case is currently is scheduled for February 2022.

VIII. CLASSIFICATION UNDER THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

64. On information and belief, the products at issue may be classified under at least the following headings of the Harmonized Tariff Schedule of the United States: 8504.40.8500, 8517.12.0080, 8525.60.2000, 8526.91.0010, 8526.91.0030.

IX. DOMESTIC INDUSTRY

65. A domestic industry, as defined by 19 U.S.C. § 1337(a)(2)-(3), exists by virtue of Complainants’ significant investment in plant and equipment, significant employment of labor or

capital, and/or substantial investment in the exploitation of the Asserted Patents, through its activities in the United States directed to RF transmission devices and components thereof which practice the Asserted Patents, including at least the following asserted claims (independent claims in bold):

Asserted Patent	Practiced Tech DI Claims
U.S. Patent No. 6,895,219	1 , 3, 4, 5, 6, 7, 8, 9, 10 , 11, 13, 14, 15, and 16
U.S. Patent No. 7,683,788	17 , 18, and 19

A. The Technical Prong

66. Zebra directly practices at least one claim of the '219 patent. For instance, Zebra's mobile computers, including the EC55, MC2700, TC26, EC50, MC2200, TC21, MC9300, EC30, TC72, TC77, TC52, TC57, TC52x, and TC57x mobile computers, as well as Zebra's L10 XPAD, L10 XBOOK, L10 XSLATE, R12, ET56, and ET51 mobile terminals, Zebra's WT6300, WT6000, and WT41N0 wearable terminals, Zebra's FX9600 fixed UHF RFID reader, and Zebra's TFF-5110, MB6000, and MB5000 RFID/BLE sensors/beacons and bridges, satisfy the technical prong of the domestic industry requirement by practicing at least one claim of the '219 patent, as shown in the attached claim chart. *See* Exhibit 5 (charting the EC55 as a representative product). In addition, certain of Zebra's customers, distributors, and/or end users directly practice at least one claim of the '219 patent in the United States pursuant to Zebra's instructions indicating how to use and/or operate one or more of the above-recited devices.

67. Zebra directly practices at least one claim of the '788 patent. For instance, Zebra's ATR7000 Real-time locating systems ("RTLS") readers satisfy the technical prong of the domestic industry requirement by practicing at least one claim of the '788 patent, as shown in the attached claim charts. *See* Exhibit 7. In addition, certain of Zebra's customers, distributors,

and/or end users directly practice at least one claim of the '788 patent in the United States pursuant to Zebra's instructions indicating how to use and/or operate one or more of the above-recited devices, or other Zebra devices.

B. The Economic Prong

68. An industry, as defined in Section 337(a)(3), exists or is in the process of being established in the United States by virtue of the Complainants' significant and substantial investments directed to RF transmission devices and components thereof that are protected by the Asserted Patents. *See* Confidential Exhibit 11C. As set forth in the accompanying declaration, these investments include, but are not limited to, significant investments in plant and equipment, and the significant employment of labor and capital in the United States.

69. Specifically, Complainant Zebra has made and continues to make significant and substantial investments in the research, design, development, and engineering of Zebra products that practice the '219 patent. *See* Confidential Exhibit 11C at ¶¶ 10-27. Zebra has also made and continues to make significant and substantial investments in the research, design, development, and engineering of Zebra products that incorporate the designs claimed in the '788 patent. *Id.*

X. REQUEST FOR RELIEF

WHEREFORE, Complainant respectfully requests that the United States International Trade Commission:

A. Institute an immediate investigation, pursuant to Section 337(b)(1) of the Tariff Act of 1930, as amended, 19 C.F.R. § 1337, into the violation by Respondent of Section 337 arising from the importation into the United States, sale for importation, and/or sale within the United States after importation of OnAsset's RF transmission devices and components thereof, that infringe the '219 and '788 patents;

B. Schedule and conduct a hearing pursuant to Section 337(c), for purposes of receiving evidence and hearing argument concerning whether there has been a violation of Section 337 and, following the hearing, determine that there has been a violation of Section 337;

C. Issue a permanent limited exclusion order, pursuant to 19 U.S.C. § 1337(d)(1), forbidding entry into the United States all RF transmission devices and components thereof, made by or on behalf of OnAsset, that infringe the '219 and '788 patents;

D. Issue permanent cease and desist orders, pursuant to 19 U.S.C. § 1337(f), directing OnAsset, and others acting on its behalf, to cease and desist from importing, marketing, advertising, demonstrating, distributing, warehousing inventory for distribution, selling, offering for sale, using, or transferring (except for export) RF transmission devices and components thereof, that infringe the '219 and '788 patents;

E. Impose a bond, pursuant to 19 U.S.C. § 1337(j), upon importation of any RF transmission devices and components thereof, that infringe the '219 and '788 patents during the Presidential review period; and

F. Grant all such other and further relief as the Commission deems appropriate based on the facts complained of herein and as determined by the investigation.

Dated: July 28, 2021

Respectfully Submitted,



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Counsel for Complainant

Zebra Technologies Corporation

VERIFICATION

I, Richard Woodburn, hereby declare and state, in accordance with 19 C.F.R. § 210.4(c) and 210.12(a), that the following statements are true:

1. I am a Director of Product Line Management at Zebra Technologies Corporation, and I am duly authorized to sign this verification on behalf of Complainant.
2. I have read the Complaint and am aware of its contents.
3. To the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, (a) the claims, defenses, and other legal contentions in the Complaint are warranted by existing law or by a non-frivolous argument for the extension, modification, or reversal of existing law or the establishment of new law, and (b) the allegations and other factual contentions in the Complaint have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.
4. The Complaint is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of the investigation or related proceedings.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 27 July, 2021, in Cupertino, California.



Richard Woodburn
Director of Product Line Management
Zebra Technologies Corporation