

Perkins Coie Clients Win Favorable Ruling in Section 337 Investigation Before U.S. International Trade Commission

WASHINGTON, D.C., (May 21, 2024)—Perkins Coie is pleased to announce that a firm trial team has won a favorable ruling for a group of seven clients as part of a Section 337 Investigation before the U.S. International Trade Commission (ITC).

The firm's San Diego trial team secured a ruling of no violation of Section 337 in an initial determination by Administrative Law Judge Bryan F. Moore from the ITC for seven manufacturing and technology clients based in Shenzhen, China and in the United States. The case was related to imports into the United States of portable battery jump starters and their components.

Perkins Coie's clients, including Shenzhen Carku Technology Co., Ltd., Aukey Technology Co., Ltd., Metasee LLC, Ace Farmer LLC, Shenzhenshi Daosishangmao Youxiangongsi, Hulkman LLC, and Shenzhen Konghui Trading Co., Ltd., were accused of violations of Section 337 for the importation into the United States or sale of certain portable battery jump starters and their components related to trade dress infringement, false designation of origin, false advertising, and unfair competition. The ITC investigation was initiated by the NOCO Company, Inc. in March 2023 and the evidentiary hearing was conducted in early January 2024. Judge Moore ruled in favor of Perkins Coie's clients on May 17 and found no violation of Section 337 of the Tariff Act of 1930.

The Perkins Coie trial team included partners [Kevin Patariu](#), [John Esterhay](#), [Masa Noda](#), [John Schnurer](#) and [Bing Ai](#), senior counsel [Evan Day](#), counsels [Elliot Joh](#) and [Wei Yuan](#), and associate [Eric Maas](#).

"We are pleased to have once again prevailed at the ITC against NOCO for our clients," said [Kevin Patariu](#), the lead trial counsel for the Perkins Coie team and the co-chair of Perkins Coie's national ITC Litigation Practice. "Our clients look forward to the continued development and sales of innovative products in the United States. We are confident that Judge Moore's initial determination will be affirmed by the ITC if NOCO attempts to have it overturned."

The investigation was one of three consecutive ITC investigations brought by NOCO against Shenzhen Carku and other Chinese and U.S. companies involved in manufacturing, importation, sale, or support of portable jump starters in the United States. The first ITC Investigation, which alleged patent infringement, concluded in June 2022, when Perkins Coie and Shenzhen Carku successfully achieved a final determination of no violation for all respondents, a result that was not appealed by NOCO. NOCO's third ITC investigation is ongoing and alleges patent infringement. It is a companion investigation to this investigation where Judge Moore has now found in favor of Perkins Coie's clients.

For more information, please see the ITC's notice of institution of investigation [here](#) and notice of initial determination [here](#).

Perkins Coie is a leading global law firm, dedicated to helping the world's most innovative companies solve the legal and business challenges of tomorrow. Learn about our work and values [here](#).

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