

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN DIGITAL MULTIMETERS,
AND PRODUCTS WITH MULTIMETER
FUNCTIONALITY**

Inv. No. 337-TA-588

NOTICE OF INVESTIGATION

AGENCY: U.S. International Trade Commission

ACTION: Institution of investigation pursuant to 19 U.S.C. § 1337

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on October 6, 2006, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Fluke Corporation of Everett, Washington. Letters supplementing the complaint were filed on October 27 and October 30, 2006. The complaint, as supplemented, alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain digital multimeters, and products with multimeter functionality by reason of infringement of U.S. Trademark Registration No. 2,796,480 and also by reason of infringement of trade dress, the threat or effect of which is to destroy or substantially injure an industry in the United States. The complaint further alleges that there exists an industry in the United States with respect to the asserted intellectual property rights.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a permanent general exclusion order and permanent cease and desist orders.

ADDRESSES: The complaint and supplements, except for any confidential information contained therein, are available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Room 112, Washington, D.C. 20436, telephone 202-205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Anne Goalwin, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2574.

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.10 (2006).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on November 6, 2006, ORDERED THAT –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine:

(a) whether there is a violation of subsection (a)(1)(C) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain digital multimeters, or products with multimeter functionality, by reason of infringement of U.S. Trademark Registration No. 2,796,480, and whether an industry in the United States exists as required by subsection (a)(2) of section 337, or

(b) whether there is a violation of subsection (a)(1)(A) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain digital multimeters, or products with multimeter functionality, by reason of infringement of trade dress, the threat or effect of which is to destroy or substantially injure an industry in the United States;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is –

Fluke Corporation
6920 Seaway Boulevard
Everett, Washington 98203

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Altadox, Inc.
309 E Las Flores Avenue
Arcadia, CA 91006

Circuit Specialists, Inc.
220 S Country Club Drive #2
Mesa, AZ 85210

Digitek Instruments Co., Ltd.
Room 1905, Nan Fung Centre, 264-298
Castle Peak Road
Tsuen Wan, N.T., Hong Kong

Electronic Specialties, Inc.
2449 Piece Drive
Spring Grove, IL 60081

Electronix Express
A Division of R.S.R. Electronics, Inc.
365 Blair Road
Avenel, New Jersey 07001

Elenco Electronics, Inc.
150 W. Carpenter Avenue
Wheeling, IL 60090

HandsOnTools
1001-A E Harmony Rd
Suite 332
Fort Collins, CO 80525

Harbor Freight Tools
3491 Mission Oaks Blvd.
Camarillo, CA 93011

Jameco Electronics
1355 Shoreway Road
Belmont, CA 94002

Kaito Electronics, Inc.
5185 Cliffwood Drive
Montclair, CA 91763

Parts Express
725 Pleasant Valley Drive
Springboro, Ohio 45066

Precision Mastech Enterprises Co.
Room 1708-9, Hewlett Centre, 54 Hoi
Yuen Road
Kwun Tong, Kowloon, Hong Kong

Shenzhen Everbest Machinery
Industry Co., Ltd.
Room 302, No. 5, Kefa Road
Science Industry Park
Shenzhen, China

ShenZhen Hongda Electronic Co., Ltd.
East. 6/F, 14 Bagua-4 Road
Futian District, Shenzhen, China

Shenzhen Victor Hi-Tech Co., Ltd.
3/F, Building 412, Bagua 4th Road
Futian District, Shenzhen City
Guangdong Province, China, 518029

Sinometer Instruments Co. Ltd.
Ginza International Building, 1056
Shennan Avenue,
Shenzhen, China

TechBuys, LLC
1813 Yeager Avenue
La Verne, CA 91750

Velleman Inc.
7354 Tower Street
Fort Worth, TX 76118

(c) The Commission investigative attorney, party to this investigation, is Anne Goalwin, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Room 401-R, Washington, D.C. 20436; and

(3) For the investigation so instituted, the Honorable Charles E. Bullock is designated as the presiding administrative law judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.13. Pursuant to 19 C.F.R. §§ 201.16(d) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of a limited exclusion order or cease and desist order or both directed against the respondent.

By order of the Commission.

/s/
Marilyn R. Abbott
Secretary to the Commission

Issued: November 6, 2006