

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN MACHINE VISION
SOFTWARE, MACHINE VISION
SYSTEMS, AND PRODUCTS
CONTAINING SAME**

Inv. No. 337-TA-680

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 May 28, 2009, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Cognex Corporation of Natick, Massachusetts and Cognex Technology & Investment Corporation of Mountain View, California. An amended complaint was filed on June 26, 2009. A supplemental letter was filed on July 1, 2009. The amended complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain machine vision software, machine vision systems, and products containing same that infringe certain claims of U.S. Patent Nos. 7,016,539; 7,065,262; and 6,959,112. The amended complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue an exclusion order and cease and desist orders.

ADDRESSES: The amended complaint, except for any confidential information contained therein, is 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: Kevin Baer, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2221.

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 (2009).

SCOPE OF INVESTIGATION: Having considered the amended complaint, the U.S. International Trade Commission, on July 9, 2009, ORDERED THAT –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) 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 machine vision software, machine vision systems, or products containing same that infringe one or more of claims 1-6, 8, 12, 18-21, 24, 25, and 33-35 of U.S. Patent No. 7,016,539; 1, 11-13, 21, 28-30, 39, 47, 54, and 55 of U.S. Patent No. 7,065,262; and claims 1-10 of U.S. Patent No. 6,959,112, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(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 complainants are –

Cognex Corporation
One Vision Drive
Natick, MA 01760

Cognex Technology & Investment Corporation
465 North Wisman Road, Suite 200
Mountain View, CA 94043

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

MVTec Software GmbH
Neherstr. 1
81675 München
Germany

MVTec LLC
1 Broadway
Cambridge, MA 02142

E. Zoller GmbH & Co. KG
Gottlieb-Daimler-Strasse 19
74385 Pleidelsheim
Germany

Zoller, Inc.
3753 Plaza Drive, Suite #1
Ann Arbor, MI 48108

Fuji Machine Manufacturing Co., Ltd.
19 Chausuyama, Yamamachi, Chiryu
Aichi 472-8686
Japan

Fuji America Corporation
171 Corporate Woods Parkway
Vernon Hills, IL 60061

Omron Corporation
Gate City Osaki, West Tower 15F
1-11-1, Osaki, Shinagawa-ku,
Tokyo, 141-0032
Japan

Resolution Technology, Inc.
5990 Wilcox Place, Suite B
Dublin, OH 43016

Subtechnique, Inc.
4950-C Eisenhower Ave.
Alexandria, VA 22304

Visics Corp.
70 Hastings Street
Wellesley, MA 02181

Daiichi Jitsugyo Viswill Co., Ltd.
12-43, Honami-cho
Suita City
Osaka 564-0042
Japan

Daiichi Jitsugyo (America), Inc.
939 A.E.C. Drive
Wood Dale, IL 60191

Amistar Automation, Inc.
1269 Linda Vista
San Marcos, CA 92078

Techno Soft Systemnics, Inc.
Naniwa Ward, Ebisunishi 2-chome Sakae
Shiyou Building, No. 17
Osaka 556-0003
Japan

IDS Imaging Development Systems GmbH
Dimbacher Str. 6
Obersulm 74182
Germany

IDS Imaging Development Systems, Inc.
400 West Cummings Park, Suite 3400
Woburn, MA 01801

YXLON International GmbH
Essener Bogen 15
Hamburg D-22419
Germany

YXLON International, Inc.
3400 Gilchrist Road
Mogadore, OH 44260

Rasco GmbH
Geigelsteinstraße 6
Kolbermoor 83059
Germany

Delta Design, Inc.
12367 Crosthwaite Circle
Poway, CA 92064

Multitest Elektronische Systeme GmbH
Äußere Oberaustrasse 4
Rosenheim 83026
Germany

Multitest Electronic Systems, Inc.
3021 Kenneth Street
Santa Clara, CA 95054

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

(3) For the investigation so instituted, Paul J. Luckern, Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the amended 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 amended complaint and the notice of investigation. Extensions of time for submitting responses to the amended 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 amended complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the amended 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 amended complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Marilyn R. Abbott
Secretary to the Commission

Issued: July 13, 2009