

NJ Robotics Biz Wins Infringement Ruling In ITC Case

By **Andrew Karpan**

Law360 (April 3, 2023, 10:42 PM EDT) -- A New Jersey warehouse robotics company has convinced the top administrative judge at the U.S. International Trade Commission that imports from a Chinese rival infringe a pair of patents the company owns.

The decision from Chief Administrative Law Judge Clark Cheney sided with Opex Corp., according to a notice issued on Friday. The agency has yet to release the full opinion from the judge, who held an evidentiary hearing in the investigation last November.

Opex had gone to the ITC early last year with allegations that a Hangzhou, China-based company called HC Robotics was importing and selling a line of warehouse automation products under the brand name Omnisort, which purportedly infringed patents Opex patented with the U.S. Patent and Trademark Office, the earliest of which dates to 2013.

The ITC complaint from Opex also targeted a Pennsylvania company called Invata, which Opex claimed "receives imported Omnisort products and modules from China."

Opex markets its own line of warehouse-automating products under brand names like Sure Sort and Perfect Pick. Last year, Opex leveled a patent infringement lawsuit in Pennsylvania federal court against HC Robotics, which has remained on hold pending the results of the case at the ITC.

Representatives from both sides did not return a request for comment Monday.

The patents-in-suit are U.S. Patent Nos. 8,622,194 and 10,576,505.

Opex is represented by Paul Bondor, Goutam Patnaik, David J. Shaw, Tuhin Ganguly, Elizabeth Connors and Jonathan V. Lewis of Desmarais LLP.

Invata and HC Robotics are represented by P. Andrew Riley, Lei Mei, Robert A. Hall, Guang-Yu Zhu and Jiwei Zhang of Mei & Mark LLP.

The case is Certain Automated Put Walls and Automated Storage and Retrieval Systems, Associated Vehicles, Associated Control Software, and Component Parts Thereof, investigation number 337-TA-1293, before the U.S. International Trade Commission.

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