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August 21, 2025

The Honorable Amy A. Karpel
Chair
U.S. International Trade Commission
500 E St SW, Washington, DC 20436

The Honorable David S. Johanson
Commissioner
U.S. International Trade Commission
500 E St SW, Washington, DC 20436

The Honorable Jason E. Kearns
Commissioner
U.S. International Trade Commission
500 E St SW, Washington, DC 20436

Dear Chair Karpel and Commissioners Johanson and Kearns:

It has come to our attention that GoPro Inc. has petitioned the United States International Trade Commission (Commission) to review an Administrative Law Judge's decision in the matter of Inv. No. 337-TA-1400, which relates to GoPro's allegation that a competitor based in the People's Republic of China (PRC), Arashi Vision Inc. (d/b/a Insta360), has infringed GoPro's patents covering its digital imaging technologies. We respectfully submit these comments in response to the Notice of Request for Statements on the Public Interest. We urge the Commission to consider the significant public interest factors at stake, including the protection of American jobs, the preservation of U.S. technological leadership, and the safeguarding of national security.

As Chairman and Ranking Member of the House Select Committee on the Strategic Competition between the United States and the Chinese Communist Party, we are all too familiar with the routine practice of PRC-based companies stealing intellectual property from their U.S. competitors and proceeding to undercut those same companies in the U.S. and international markets. Innovative American companies that play by the rules and support American jobs have been forced to lay off workers, curtail research and development, and even shutter their operations as a result of this unfair behavior.

Section 337 of the Tariff Act of 1930 is a critical tool for protecting American industry and innovation from the PRC's illegal and predatory economic practices, and the U.S. International Trade Commission plays a central role in enforcing it. The Commission's work in this area is essential to ensuring a level playing field for U.S. companies and to combatting unfair

foreign competition. In recent years, there has been a sharp increase in cases involving foreign entities of concern—particularly from the PRC—which companies and government entities accused of patent and trademark infringement, trade secret theft, and other unfair trade practices that have harmed U.S. companies, workers, and industries.¹ These violations erode the value of American research and development, diminish competitiveness, and may raise national security concerns. Imports based on stolen U.S. intellectual property and that violate fair trade principles must be stopped. We urge the Commission to maintain a strong posture in Section 337 enforcement and to act swiftly and decisively when violations are identified. By doing so, the Commission can continue to serve as a vital safeguard for U.S. economic and strategic interests, deter future misconduct, and uphold the integrity of the rules-based trading system.

We are also concerned about the national security implications of this case. Advanced imaging systems, like those developed by GoPro, can have dual-use applications in surveillance, reconnaissance, and other defense-related contexts. Moreover, PRC laws such as the 2017 National Intelligence Law and the 2021 Data Security Law mandate corporate compliance when called upon by the PRC government. These realities mean the unauthorized transfer of dual-use capabilities to entities from countries of concern risks compromising U.S. defense readiness, critical infrastructure, and technological sovereignty. Section 337 enforcement in this matter is essential to ensuring a level playing field and preventing adversarial nations from benefiting from misappropriated U.S. innovations.

Thank you for your attention to this important matter. We look forward to your continued commitment to fair trade enforcement and the protection of American intellectual property.

Sincerely,



John Moolenaar
Chairman
House Select Committee on the CCP



Raja Krishnamoorthi
Ranking Member
House Select Committee on the CCP

¹ Fan, Jiani & Hua, Xiuping & Wang, Miao & Wang, Yong & Zhang, Huayi, 2025. "The Impacts of U.S. Section 337 Investigations on Chinese Technology Firms," *Research Policy*, Elsevier, vol. 54(5), June 2025
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