

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN PERCUSSIVE MASSAGE
DEVICES**

Investigation No. 337-TA-1206

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING A JOINT MOTION TO TERMINATE THE
INVESTIGATION WITH RESPECT TO THE REMAINING ACTIVE RESPONDENTS**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined not to review an initial determination (“ID”) (Order No. 30) of the presiding administrative law judge (“ALJ”), granting an unopposed motion to terminate the investigation with respect to the remaining active respondents based upon settlement agreements.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, D.C. 20436, telephone 202-205-2392. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on July 22, 2020, based on a complaint filed on behalf of Hyper Ice, Inc. (“Hyper Ice”) of Irvine, California. 85 FR 44322 (July 22, 2020). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain percussive massage devices by reason of infringement of certain claims of U.S. Patent No. 10,561,574; U.S. Design Patent No. D855,822; and U.S. Design Patent No. D886,317. The complaint further alleges that a domestic industry exists. The Commission’s notice of investigation named nineteen respondents: Kinghood International Logistics Inc. (“Kinghood”) of La Mirada, California; Manybo Ecommerce Ltd. (“Manybo”) of Hong Kong, China; Shenzhen Infein Technology Co., Ltd. (“Shenzhen Infein”) of Guangdong, China; Hong Kong

Yongxu Capital Management Co., Ltd. (“Hong Kong Yongxu”) of Hong Kong, China; and Kula eCommerce Co., Ltd. (“Kula”) of Guangdong, China; Performance Health Systems, LLC (“Performance Health”) of Northbrook, Illinois; Rechar, Inc. (“Rechar”) of Strasburg, Colorado; Ning Chen of Yancheng, Jiangsu China; Opove, Ltd. (“Opove”) of Azusa, California; Shenzhen Shufang E-Commerce Co., Ltd. (“Shufang E-Commerce”) of Shenzhen, China; Fu Si (“Shenzhen Fusi Technology”) of Guangdong, China;¹ Shenzhen Let Us Win-Win Technology Co., Ltd. of Guangdong, China; Laiwushiyu Xinuan Trading Company of Shandong District, China; Shenzhen QingYueTang E-commerce Co., Ltd. of Guangdong, China; Shenzhen Shiluo Trading Co., Ltd. of Guangdong, China; Shenzhen Qifeng Technology Co., Ltd. of Guangdong, China; WODFitters (“WODFitters”) Lorton, Virginia; Massimo Motor Sports, LLC (“Massimo”) of Garland, Texas; and Addaday LLC (“Addaday”) of Santa Monica, California. The notice of investigation also names the Office of Unfair Import Investigations (“OUII”) as a party. On October 16, 2020, the Commission determined not to review an ID (Order No. 11) granting motions to intervene by third parties Shenzhen Xinde Technology Co., Ltd. (“Xinde”) and Yongkang Aijiu Industrial & Trade Co., Ltd. (“Aijiu”) in the investigation.

Respondents Kinghood, Manybo, Shenzhen Infein, Hong Kong Yongxu, and Kula have been found in default. *See* Order No. 17 (Dec. 17, 2020), *unreviewed by* Comm’n Notice (Jan. 5, 2021). Respondents Addaday, WODFitters, and Massimo were terminated from the investigation based upon settlement agreements. *See* Order No. 10 (Sep. 16, 2020), *unreviewed by* Comm’n Notice (Oct. 15, 2020); Order No. 12 (Nov. 4, 2020), *unreviewed by* Comm’n Notice (Nov. 20, 2020).

On March 23, 2021, Complainant Hyper Ice filed a motion to terminate the investigation with respect to Performance Health, Rechar, Ning Chen, Opove, Shufang E-Commerce, Xinde, Aijiu, and Shenzhen Fusi Technology. (collectively, “Participating Respondents”) based upon settlement agreements. OUII filed a response in support of the motion. No other response was filed. Five other respondents remain in the investigation, but they have not participated in the proceeding.

On April 8, 2021, the ALJ issued an ID granting the motion pursuant to Commission Rule 210.21(b), 19 CFR 210.21(b). The ALJ found that the motion to terminate complies with the Commission’s rules, and there is no evidence that terminating this investigation by settlement with respect to the Participating Respondents would be contrary to the public interest. *See* Order No. 30 at 3 (Apr. 8, 2021). No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID. The following respondents are hereby terminated from the investigation based upon settlement agreements: Performance Health, Rechar, Ning Chen, Opove, Shufang E-Commerce, Xinde, Aijiu, and

¹ Respondent Fu Si’s full name is Shenzhen Fusi Technology Co., Ltd. *See* Response of Opove Ltd., Shenzhen Shufang E-Commerce Co., Ltd., and Fu Si to the Complaint and Notice of Investigation at ¶ 40, EDIS Doc ID 716966 (Aug. 11, 2020). The principal place of business of Shenzhen Fusi Technology Co., Ltd. will be changed to 14E, Building A, Guanghua International Center, No. 441 Meilong Road, Minzhi Street, Longhua District, Shenzhen, China, 518131 effective September 15, 2020. *Id.*

Shenzhen Fusi Technology.

The Commission vote for this determination took place on April 22, 2021.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in Part 210 of the Commission's Rules of Practice and Procedure, 19 CFR Part 210.

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', enclosed within a large, loopy oval shape.

Lisa R. Barton
Secretary to the Commission

Issued: April 22, 2021