

**UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, D.C.**

**In the Matter of**

**CERTAIN VAPORIZER CARTRIDGES  
AND COMPONENTS THEREOF**

**Investigation No. 337-TA-1211**

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW SIX INITIAL  
DETERMINATIONS TERMINATING THE INVESTIGATION AS TO CERTAIN  
RESPONDENTS BASED ON CONSENT ORDER STIPULATIONS; ISSUANCE OF  
SIX CONSENT ORDERS**

**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 six initial determinations (“IDs”) (Order Nos. 43-48) granting joint motions to terminate respondents JUULSite Inc. of Bensenville, Illinois (“JUULSite”); Alternative Pods Inc. of Palatine, Illinois (“Alternative Pods”); Limitless Accessories, Inc., D/B/A Valgous of Tinley Park, Illinois (“Limitless”); Price Point NY of Farmingdale, New York (“Price Point”); OMID Holdings, Inc. D/B/A Naturally Peaked Health Co. of Brewster, New York (“Naturally Peaked”); and Bansidhar, Inc. D/B/A Smoker’s Express of Auburn Hills, Michigan (“Smoker’s Express”), respectively, in the above-captioned investigation based on consent order stipulations. The Commission has issued six consent orders.

**FOR FURTHER INFORMATION CONTACT:** Lynde Herzbach, Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3228. 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](mailto: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:** On August 14, 2020, the Commission instituted this investigation based on a complaint, as supplemented, filed on behalf of Juul Labs, Inc. (“JLI”) of San Francisco, California. 85 FR 49679 (Aug. 14, 2020). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based

upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain vaporizer cartridges and components thereof by reason of infringement of U.S. Design Patent Nos. D842,536; D858,870; D858,869; and D858,868. *Id.* The complaint further alleges that a domestic industry exists. *Id.* The Commission’s notice of investigation names forty-nine (49) respondents, including JUULSite, Alternative Pods, Limitless, Price Point, Naturally Peaked, and Smoker’s Express. *See id.* The Office of Unfair Import Investigations (“OUII”) is also a party to the investigation. *See id.*

On December 21, 2020, JLI and Naturally Peaked filed a joint motion to terminate this investigation with respect to Naturally Peaked based on a consent order stipulation and proposed consent order. On December 23, 2020, OUII filed a response supporting the motion.

On December 21, 2020, JLI and Smoker’s Express filed a joint motion to terminate this investigation with respect to Smoker’s Express based on a consent order stipulation and proposed consent order. On December 23, 2020, OUII filed a response supporting the motion.

On January 5, 2021, JLI and JUULSite filed a joint motion to terminate this investigation with respect to JUULSite based on a consent order stipulation and proposed consent order. On January 15, 2021, OUII filed a response supporting the motion.

On January 5, 2021, JLI and Alternative Pods filed a joint motion to terminate this investigation with respect to Alternative Pods based on a consent order stipulation and proposed consent order. On January 15, 2021, OUII filed a response supporting the motion.

On January 8, 2021, JLI and Limitless filed a joint motion to terminate this investigation with respect to Limitless based on a consent order stipulation and proposed consent order. On January 21, 2021, OUII filed a response supporting the motion.

On January 11, 2021, JLI and Price Point filed a joint motion to terminate this investigation with respect to Price Point based on a consent order stipulation and proposed consent order. On January 21, 2021, OUII filed a response supporting the motion.

On February 2, 2021 the presiding administrative law judge issued the six subject IDs. *See* Order No. 43 (Feb. 2, 2021); Order No. 44 (Feb. 2, 2021); Order No. 45 (Feb. 2, 2021); Order No. 46 (Feb. 2, 2021); Order No. 47 (Feb. 2, 2021); Order No. 48 (Feb. 2, 2021). Each of the subject IDs finds that the respective motion, consent order stipulation, and proposed consent order satisfy the requirements of Commission Rules 210.21(c)(3) and (c)(4) (19 CFR 210.21(c)(3), (c)(4)). The IDs also find that termination of JUULSite, Alternative Pods, Limitless, Price Point, Naturally Peaked, and Smoker’s Express would not be contrary to the public interest.

No party petitioned for review of the subject IDs.

The Commission has determined not to review Order Nos. 43-48. JUULSite, Alternative Pods, Limitless, Price Point, Naturally Peaked, and Smoker's Express are hereby terminated from the investigation. The Commission has issued consent orders to JUULSite, Alternative Pods, Limitless, Price Point, Naturally Peaked, and Smoker's Express.

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

While temporary remote operating procedures are in place in response to COVID-19, the Office of the Secretary is not able to serve parties that have not retained counsel or otherwise provided a point of contact for electronic service. Accordingly, pursuant to Commission Rules 201.16(a) and 210.7(a)(1) (19 CFR 201.16(a), 210.7(a)(1)), the Commission orders that the complainant complete service for any party/parties without a method of electronic service noted on the attached Certificate of Service and shall file proof of service on the Electronic Document Information System (EDIS).

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', with a stylized flourish at the end.

Lisa R. Barton  
Secretary to the Commission

Issued: February 22, 2021