

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

**In the Matter of**

**CERTAIN CLOUD-CONNECTED  
WOOD-PELETT GRILLS AND  
COMPONENTS THEREOF**

**Investigation No. 337-TA-1237**

**NOTICE OF A COMMISSION DETERMINATION TO EXTEND THE DATE FOR  
DETERMINING WHETHER TO REVIEW A FINAL INITIAL DETERMINATION  
FINDING A VIOLATION OF SECTION 337**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission (“the Commission”) has determined to extend the date for determining whether to review a final initial determination (“ID”) of the presiding former chief administrative law judge (“CALJ”) finding a violation of section 337 by the accused products of respondent GMG Products LLC (“GMG”) of Lakeside, Oregon to March 8, 2022.

**FOR FURTHER INFORMATION CONTACT:** Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436, telephone (202) 708-2310. 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, telephone (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on January 4, 2021, based on a complaint filed on behalf of Traeger Pellet Grills LLC (“Traeger”) of Salt Lake City, Utah. 86 FR 129-30 (Jan. 4, 2021). 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 cloud-connected wood-pellet grills and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 10,218,833 (“the ’833 patent”) and 10,158,720 (“the ’720 patent”). The Commission’s notice of investigation named GMG as the sole respondent. The Office of Unfair Import Investigations is not participating in the investigation.

The Commission previously found that Traeger has satisfied the economic prong of the domestic industry requirement with respect to the '833 and '720 patents. *See* Order No. 26 (Aug. 10, 2021), *unreviewed by* Comm'n Notice (Sept. 9, 2021).

On September 3, 2021, the former CALJ issued an ID (Order No. 28) granting in part GMG's motion for summary determination of non-infringement as to the '833 patent and terminating that patent from the investigation. *See* Order No. 28 (Sept. 3, 2021). On October 28, 2021, the Commission determined, on review, to affirm with modification the ID's finding of non-infringement. *See* Comm'n Notice (Oct. 28, 2021). Accordingly, the '833 patent was terminated from the investigation.

On December 6, 2021, the former CALJ issued the final ID finding a violation of section 337 based on infringement of the asserted claims of the '720 patent. The final ID contained the former CALJ's recommended determination that, should the Commission find a violation, the Commission issue a limited exclusion order directed to GMG's infringing products, a cease and desist order directed to GMG, and requiring a bond in the amount of 53.1 percent for importation of infringing articles during the Presidential review period.

On December 20, 2021, GMG petitioned for review of certain aspects of the final ID. Specifically, GMG petitions for review of the ID's findings regarding claim construction, infringement, the technical prong of the domestic industry requirement, and validity with respect to the '720 patent. On December 28, 2021, Traeger filed a response in opposition to GMG's petition for review.

The Commission has determined to extend the date for determining whether to review the final ID to March 8, 2022.

The Commission vote for this determination took place on February 3, 2022.

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.



Secretary to the Commission

Issued: February 3, 2022