

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN BATTERIES AND
PRODUCTS CONTAINING SAME**

Investigation No. 337-TA-1244

**NOTICE OF COMMISSION DETERMINATION NOT TO
REVIEW AN INITIAL DETERMINATION FINDING
TEN RESPONDENTS IN DEFAULT**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (“ID”) (Order No. 9) finding the remaining ten respondents in default for failing to respond to the complaint and notice of investigation.

FOR FURTHER INFORMATION CONTACT: Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., 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: On February 5, 2021, the Commission instituted this investigation based on a complaint filed on behalf of One World Technologies, Inc. of Anderson, South Carolina and Techtronic Power Tools Technology Ltd. of Tortola, British Virgin Islands (together, “Complainants”). 86 FR 8379 (Feb. 5, 2021). The complaint alleged 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 batteries and products containing the same that infringe U.S. Patent Nos. D579,868, D580,353, and D593,944. *Id.* The complaint also alleged the existence of a domestic industry. The Commission’s notice of investigation named thirteen respondents: Darui Development Limited of Yakeshi, China (“Darui Development”); Dongguan Xinjitong Electronic Technology Co., Ltd. of Dongguan City, China (“Dongguan Electronic”); Shenzhen Laipaili Electronics Co., Ltd. of Shenzhen, China (“Shenzhen Laipaili”); Shenzhen Liancheng Weiye Industrial Co., Ltd. of Shenzhen, China (“Shenzhen Industrial”); Shenzhen MingYang Creation Electronic Co., Ltd. of Shenzhen, China (“Shenzhen MingYang”); Shenzhen Ollop Technology Co., Ltd. of Shenzhen, China (“Shenzhen Ollop”); Shenzhen Rich Hao Yuan Energy

Technology Co., Ltd. of Shenzhen, China (“Shenzhen Rich Hao”); Shenzhen Runsensheng Trading Co., Ltd. of Shenzhen, China (“Shenzhen Runsensheng”); Shenzhen Saen Trading Co., Ltd. of Shenzhen, China (“Shenzhen Saen”); Shenzhen Shengruixiang E-Commerce Co., Ltd. of Shenzhen, China (“Shenzhen E-Commerce”); Shenzhen Tuo Yu Technology Co., Ltd. of Shenzhen, China (“Shenzhen Tuo Yu”); Shenzhen Uni-Sun Electronics Co., Ltd. of Shenzhen, China (“Shenzhen Uni-Sun”); and Shenzhen Vmartego Electronic Commerce Co., Ltd. of Shenzhen, China (“Shenzhen Vmartego”). *Id.* The Office of Unfair Import Investigations (“OUII”) is participating in this investigation. *Id.* The Commission previously terminated the investigation with respect to three respondents: Shenzhen Industrial, Shenzhen Ollop, and Shenzhen Tuo Yu. Order No. 7 (Apr. 21, 2021), *unreviewed* Notice (May 17, 2021).

Complainants served the complaint and notice of investigation on these ten respondents: Darui Development, Dongguan Electronic, Shenzhen Laipaili, Shenzhen MingYang, Shenzhen Rich Hao, Shenzhen Runsensheng, Shenzhen Saen, Shenzhen E-Commerce, Shenzhen Uni-Sun, and Shenzhen Vmartego (collectively, the “Defaulting Respondents”). None of the Defaulting Respondents responded to the complaint and notice of the investigation.

On April 20, 2021, Complainants moved for an order directing the Defaulting Respondents to show cause why they should not be found in default for failing to respond to the complaint and notice of investigation. Complainants also noted that they are seeking a general exclusion order. On April 30, 2021, OUII filed a response in support of the motion.

On May 4, 2021, the ALJ ordered the Defaulting Respondents to show cause, by May 18, 2021, why they should not be found in default. Order No. 8 (May 3, 2021). The Defaulting Respondents did not respond to the order.

On June 2, 2021, the ALJ issued the subject ID and found the Defaulting Respondents in default pursuant to Commission Rule 210.16. Order No. 9 at 1 (citing 19 CFR 210.16). No party petitioned for review of the subject ID.

The Commission has determined not to review the subject ID. Accordingly, the following respondents are found in default: Darui Development, Dongguan Electronic, Shenzhen Laipaili, Shenzhen MingYang, Shenzhen Rich Hao, Shenzhen Runsensheng, Shenzhen Saen, Shenzhen E-Commerce, Shenzhen Uni-Sun, and Shenzhen Vmartego.

The Commission vote for these determinations took place on June 23, 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).

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(s) 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).

By order of the Commission.

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

Lisa R. Barton
Secretary to the Commission

Issued: June 23, 2021