

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

**In the Matter of**

**CERTAIN OIL-VAPING CARTRIDGES,  
COMPONENTS THEREOF, AND  
PRODUCTS CONTAINING THE SAME**

**Investigation No. 337-TA-1286**

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW INITIAL  
DETERMINATIONS TERMINATING THE INVESTIGATION AS TO RESPONDENTS  
HEAD CANDY ENTERPRISE LTD., HEADCANDYSMOKESHOP.COM, AND  
ZTC SMOKE USA INC. BASED ON CONSENT ORDER STIPULATIONS;  
ISSUANCE OF CONSENT ORDERS**

**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 initial determinations (“ID”) (Order Nos. 9 & 10) of the presiding administrative law judge (“ALJ”) terminating the investigation with respect to respondents Head Candy Enterprise Ltd. and headcandysmokeshop.com (collectively, “Head Candy”) and ZTC SMOKE USA Inc. (“ZTC”) based on consent order stipulations. The Commission has entered consent orders against respondents Head Candy and ZTC.

**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](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:** The Commission instituted this investigation on November 10, 2021, based on a complaint filed on behalf of Shenzhen Smoore Technology Limited (“Smoore”) of China. 86 FR 62567-69 (Nov. 10, 2021). 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 oil-vaping cartridges, components thereof, and products containing the same by reason of infringement of certain claims of U.S. Patent Nos. 10,357,623; 10,791,763; 10,791,762; and U.S. Registered Trademark No. 5,633,060. *Id.* at

62567-68. The complaint further alleges that a domestic industry exists. *Id.* at 62568. The Commission’s notice of investigation named numerous respondents including Head Candy Enterprise Ltd. and headcandysmokeshop.com of British Columbia, Canada and ZTC SMOKE USA Inc. of Niceville, Florida. *Id.* at 62568. The Office of Unfair Import Investigations (“OUII”) is also named as a party in this investigation. *Id.*

On December 3, 2021, complainant Smoore and respondent Head Candy filed a joint motion to terminate the investigation with respect to Head Candy based upon a consent order stipulation. On December 6, 2021, complainant Smoore and respondent ZTC filed a joint motion to terminate the investigation with respect to ZTC based upon a consent order stipulation. The motions included consent order stipulations and proposed consent orders. OUII filed responses supporting the motions. No other party responded to the motions.

On December 16, 2021, the ALJ issued an ID (Order No. 9) terminating the investigation with respect to Head Candy based on the entry of a consent order. On December 20, 2021, the ALJ issued an ID (Order No. 10) terminating the investigation with respect to ZTC based on the entry of a consent order. The IDs found that the consent order stipulations and proposed consent orders complied with Commission Rule 210.21(c)(3) and (4) (19 CFR 210.21(c)(3) and (4)). *See* Order No. 9 at 2 (Dec. 16, 2021); Order No. 10 at 1-2 (Dec. 20, 2021). The IDs also found that termination of the investigation with respect to Respondents Head Candy and ZTC would not be contrary to the public interest. *See* Order No. 9 at 2-3; Order No. 10 at 2. No petitions for review of the IDs were received.

The Commission has determined not to review the subject IDs and to issue consent orders. Respondents Head Candy and ZTC are hereby terminated from the investigation.

The Commission vote for this determination took place on January 11, 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.



Lisa R. Barton  
Secretary to the Commission

Issued: January 11, 2022