

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN WATER FILTERS AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1126

**NOTICE OF COMMISSION DECISION NOT TO REVIEW INITIAL
DETERMINATIONS GRANTING JOINT MOTIONS FOR PARTIAL
TERMINATION OF THE INVESTIGATION AS TO CERTAIN RESPONDENTS
BASED ON CONSENT ORDER STIPULATIONS AND PROPOSED
CONSENT ORDERS; 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 (“IDs”) (Orders Nos. 14, 15, and 16) of the presiding administrative law judge (“ALJ”) granting joint motions for partial termination of the investigation as to respondents Crystala Filters LLC (“Crystala”), Ecopure Filter Co., Ltd. (“Ecopure”), Hong Kong Ecoaqua Co., Limited (“Ecoaqua”), Ecolife Technologies, Inc. (“Ecolife”), and Ningbo Pureza Limited (“Pureza”) based on their entry into consent order stipulations.

FOR FURTHER INFORMATION CONTACT: Houda Morad, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708-4716. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.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 August 1, 2018, based on a complaint filed by Complainants Electrolux Home Products, Inc. of Charlotte, North Carolina and KX Technologies, LLC of West Haven, Connecticut (collectively, “Complainants”). *See* 83 Fed. Reg. 37514-15 (Aug. 1, 2018). The complaint, as amended and 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 water filters and components thereof by reason of infringement of certain claims of U.S. Patents Nos. 8,673,146; 8,137,551; 9,233,322; and 9,901,852. *See id.* The notice of investigation names several respondents including Pureza, Ecopure, Ecoaqua, Ecolife, and Crystala. *See id.* The remaining respondents were previously found in default and a motion for summary determination of section 337 violation as to those defaulting respondents is presently before the ALJ. *See Order No. 9, unreviewed*, Comm'n Notice (Oct. 25, 2018). The Office of Unfair Import Investigations is also a party to the investigation.

On February 1, 2019, Complainants filed three joint motions with each of (1) Crystala; (2) Ecopure, Ecoaqua, and Ecolife; and (3) Pureza (collectively, "the Settling Respondents"), to terminate the investigation as to those respondents based on their entry into consent order stipulations. On February 13, 2019, OUII filed responses in support of each of the joint motions.

On March 5, 2019, the ALJ issued the subject IDs granting the joint motions. *See Orders Nos. 14, 15, and 16* (as corrected on March 7, 2019, in the Notice Concerning Order No. 15). In accordance with Commission Rule 210.21(c), 19 CFR 210.21(c), the joint motions include redacted and unredacted copies of the settlement agreements. In addition, as the IDs note, the joint motions include a statement that there are no other agreements, written or oral, express or implied, between Complainants and the Settling Respondents concerning the subject matter of this investigation. *See Orders Nos. 14, 15, and 16 at 2.* Furthermore, the IDs find that the consent order stipulations and the proposed consent orders comply with Commission Rules 210.21(c)(3) and (c)(4), 19 CFR 210.21(c)(3), (c)(4). *See id.* at 2-3. Still further, the IDs find no evidence that terminating the investigation as to the Settling Respondents based on the consent order stipulations, consent orders, and the settlement agreements would be contrary to the public interest. *See id.* at 3-4. The IDs also suspend the procedural schedule with respect to the Settling Respondents pending Commission review of the IDs. *See id.*

No petition for review of the subject IDs was filed. The Commission has determined not to review the subject IDs.

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: April 1, 2019