

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

In the Matter of

**CERTAIN ELECTRONIC CANDLE
PRODUCTS AND COMPONENTS
THEREOF**

Inv. No. 337-TA-1195

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION FINDING VERAFLAME INTERNATIONAL, INC., NINGBO
MASCUBE IMPORT EXPORT COMPANY, AND VIRTUAL CANDLES LIMITED 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”) issued by the presiding administrative law judge (“ALJ”) finding Veraflame International, Inc., Ningbo Mascube Import Export Company, and Virtual Candles Limited (“the Defaulting Respondents”) in default.

FOR FURTHER INFORMATION CONTACT: Benjamin S. Richards, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436, telephone (202) 708-5453. 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: The Commission instituted this investigation on April 6, 2020, based on a complaint, as supplemented, filed by L&L Candle Company LLC of Brea, California, and Sotera Tschetter, Inc. of St. Paul, Minnesota (“Complainants”). 85 FR 19158 (Apr. 6, 2020). The amended complaint 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, and the sale within the United States after importation of certain electronic candle products and components thereof by reason of infringement of certain claims of United States Patent Nos. 8,550,660, 9,366,402, 9,512,971, 9,523,471, and 10,533,718. *Id.* The complaint further alleges that an industry in the United States exists. *Id.* The Commission’s notice of investigation named twenty-two respondents, including the Defaulting Respondents. *Id.* at 19159. The Office of Unfair Import Investigations is participating in this investigation. *Id.*

Complainants served the complaint and notice of investigation on Defaulting Respondents by express mail in April 2020, with confirmed deliveries on April 3, 2020 (Veraflame and Virtual Candles) and April 7, 2020 (Ningbo Mascube). None of the Defaulting Respondents entered an appearance or responded to the complaint and notice of investigation.

On June 8, 2020, Complainants filed a motion for an order to show cause why the Defaulting Respondents should not be found in default. On June 22, 2020, the ALJ granted Complainants' motion and issued Order No. 13, which ordered the Defaulting Respondents to show cause by July 6, 2020, why they should not be held in default for failing to respond to the complaint and notice of investigation. None of the Defaulting Respondents responded to the order. On July 8, 2020, the ALJ issued the subject ID (Order No. 14) finding the Defaulting Respondents in default. No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID. Accordingly, the following respondents are in default: Veraflame International, Inc., Ningbo Mascube Import Export Company, and Virtual Candles Limited.

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 Complainants complete service for any party 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 Commission vote for this determination took place on August 3, 2020.

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: August 3, 2020