

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
AN INITIAL DETERMINATION TERMINATING THE INVESTIGATION
WITH RESPECT TO A RESPONDENT**

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. 18) of the presiding administrative law judge (“ALJ”), granting complainant’s motion to terminate the investigation as to respondent International Vapor Group, LLC (“IVG”) based upon withdrawal of allegations in the complaint.

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. 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 IVG of Miami

Lakes, Florida. *Id.* at 62568. The Office of Unfair Import Investigations (“OUII”) is also named as a party in this investigation. *Id.*

On January 5, 2022, Smoore filed a motion to terminate the investigation as to Respondent IVG based on withdrawal of allegations in the complaint pursuant to Commission Rule 210.21(a), 19 CFR 210.21(a). *See* Order No. 18 at 1 (Jan. 5, 2022). OUII filed a response supporting the motion. *Id.* No other response was filed. *Id.*

On January 21, 2022, the ALJ issued the subject ID granting the motion. *Id.* at 2. The ID finds that the motion complies with the Commission Rules, and that no extraordinary circumstances warrant denying the motion. *Id.* No petitions for review were filed.

The Commission has determined not to review the subject ID. Respondent IVG is hereby terminated from the investigation.

The Commission vote for this determination took place on February 15, 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: February 15, 2022