

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN REFRIGERATOR WATER
FILTRATION DEVICES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1290

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL
DETERMINATION PARTIALLY TERMINATING THE INVESTIGATION
AS TO CERTAIN RESPONDENTS BASED ON SETTLEMENT**

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. 38) of the presiding Chief Administrative Law Judge (“Chief ALJ”) partially terminating the above-captioned investigation as to certain respondents based on settlement.

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 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 January 21, 2022, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), based on a complaint filed by LG Electronics Inc. of Seoul, Republic of Korea, and LG Electronics Alabama, Inc. of Huntsville, Alabama (collectively, “Complainants”). *See* 87 FR 3331-33 (Jan. 21, 2022). The complaint, as supplemented, alleges a violation of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain refrigerator water filtration devices and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 10,653,984; 10,639,570 (“the ’570 patent”); and 10,188,972 (“the ’972 patent”). *See id.* The notice of investigation names the following respondents: (1) Qingdao Ecopure Filter Co., Ltd of Qingdao, China; Qingdao Maxwell Commercial and Trading Company Ltd of Qingdao Chengyang, China; and Qingdao Uniwell Trading Co., Ltd. of Qingdao, China (collectively, “First Settling Respondents”); (2) Express Parts LLC of Keyport, New Jersey; Ningbo Haishu Keze

Replacement Equipment Co., Ltd. of Ningboshi, China; Ningbo Bichun Technology Co., Ltd. (formerly Ningbo Haishu Bichun Technology Co., Ltd.) of Ningbo City, China; Ningbo Haishu Shun'anjie Water Purification Equipment LLC of Ningbo, China; Shenzhen Yu Tian Qi Technology Co., Ltd. of Shenzhen, China; and AGA Imports LLC d/b/a ClearWater Filters of Lakewood, New Jersey (collectively, "Second Settling Respondents"); (3) Freshlab LLC of Gainesville, Florida; Isave Strategic Marketing Group LLC of New York, New York; GT Sourcing Inc. of Monsey, New York; and Refresh Filters LLC of New York, New York (collectively, "First Defaulting Respondents"); (4) All Filters LLC of Salt Lake City, Utah; Jiangsu Angkua Environmental Technical Co., Ltd. of Nantong, China; and Shenzhen Hangling ECommerce Co. Ltd of Elmhurst, Illinois (collectively, "Second Defaulting Respondents"); (5) JJ Imports LLC of Elmwood Park, New Jersey ("JJ Imports"); and (6) Zhang Ping of Dongyang, China; Liu Qi of Luliang City, China; Lvliangshilishiquhuiliwujinbaihuoshan Ghang of Luliang, China; Pursafet Water Filter (Wuhan) Inc. of Wuhan, China; Aicuiying of Shenzhen, China; Qinghaishunzexiaofangjianceyouxiang Ongsi of Xining City, China; Zhenpingxianjiaxuanyazhubaofuzhu Anggongyipinyouxia of Wuhanshi, China; Tianjin Tianchuang Best Pure Environmental Science And Technology Co. Ltd. of Tianjin, China; Top Pure (Usa) Inc. of Pico Rivera, California; W&L Trading LLC of Frisco, Texas; and Yunda H&H Tech (Tianjin) Co., LTD. of Tianjinshi, China. *See id.* The Office of Unfair Import Investigations ("OUII") is also a party to the investigation. *See id.*

On April 12, 2022, the Commission terminated the investigation as to JJ Imports based on the entry of a consent order. *See* Order No. 14 (Mar. 30, 2022), *unreviewed by* Comm'n Notice (Apr. 12, 2022). On June 28, 2022, the Commission found the First Defaulting Respondents in default pursuant to Commission Rule 210.16 (19 CFR 210.16), for failure to respond to the complaint, notice of investigation, and order to show cause (Order No. 15). *See* Order No. 22 (June 3, 2022), *unreviewed by* Comm'n Notice (June 28, 2022). On August 29, 2022, the Commission found the Second Defaulting Respondents in default pursuant to Commission Rule 210.16, for failure to respond to the complaint, notice of investigation, and orders to show cause (Order Nos. 23 and 24). *See* Order No. 28 (July 28, 2022), *unreviewed by* Comm'n Notice (Aug. 29, 2022). On October 20, 2022, the Commission partially terminated the investigation as to the First Settling Respondents based on settlement. *See* Order No. 37 (Sept. 28, 2022), *unreviewed by* Comm'n Notice (Oct. 20, 2022).

On September 16, 2022, the Commission partially terminated the investigation as to the '972 patent in its entirety. *See* Order No. 31 (Aug. 16, 2022), *unreviewed by* Comm'n Notice (Sept. 16, 2022). On October 3, 2022, the Commission partially terminated the investigation as to claims 2-8 of the '570 patent. *See* Order No. 35 (Sept. 19, 2022), *unreviewed by* Comm'n Notice (Oct. 3, 2022).

On September 22, 2022, Complainants and the Second Settling Respondents (collectively, "the Moving Parties") filed an unopposed joint motion to partially terminate the investigation as to the Second Settling Respondents. On the same day, OUII filed a response in support of the motion.

On October 7, 2022, the Chief ALJ issued the subject ID (Order No. 38) granting the joint motion and staying the procedural schedule as to the Second Settling Respondents. The ID finds that the joint motion complies with the requirements of Commission Rule 210.21(b), 19 CFR 210.21(b). *See ID* at 2. In particular, the Moving Parties included public and confidential versions of the settlement agreement. *See id.* In addition, the Moving Parties represent that “[t]here are no other agreements, written or oral, express or implied, between the [Moving] Parties concerning the subject matter of this Investigation.” *See id.* The ID also finds no evidence that terminating this investigation on the basis of settlement would adversely affect the public interest. *See id.* at 3. The ID further finds that good cause exists for limiting the service of the confidential version of the settlement agreement to the Moving Parties and OUII. *See id.*

No petition for review of the subject ID was filed. The Commission has determined not to review the subject ID. The Second Settling Respondents are terminated from the investigation.

The Commission vote for this determination took place on November 8, 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).

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.



Katherine M. Hiner
Acting Secretary to the Commission

Issued: November 8, 2022