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 INITIAL DETERMINATIONS TERMINATING THE INVESTIGATION AS TO UNSERVED RESPONDENTS AND FINDING CERTAIN RESPONDENTS 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 initial determinations ("ID") (Orders Nos. 39 and 40) of the presiding Chief Administrative Law Judge ("Chief ALJ") terminating the above-captioned investigation as to certain unserved respondents and finding certain respondents in default, respectively.

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 Shenzen Hangling ECommerce Co. Ltd of Elmhurst, Illinois (collectively, "Second Defaulting Respondents"); (5) JJ Imports LLC of Elmwood Park, New Jersey ("JJ Imports"); (6) Aicuiving of Shenzhen, China; Liu Qi ("LQQY") of Luliang City, China; Lvliangshilishiquhuiliwujinbaihuoshan Ghang ("LYLYMX") of Luliang, China; and Zhenpingxianjiaxuanyazhubaofuzhu Anggongyipinyouxia ("JiaXuan") of Wuhanshi, China (collectively, "Unserved Respondents"); (7) Qinghaishunzexiaofangjianceyouxiang Ongsi of Xining City, China; and Zhang Ping of Dongyang, China (collectively, "Third Defaulting Respondents"); and (8) Pursafet Water Filter (Wuhan) Inc. of Wuhan, 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 and August 29, 2022, respectively, the Commission found the First and Second Defaulting Respondents in default, for failure to respond to the complaint, notice of investigation, and orders to show cause. *See* Order No. 22 (June 3, 2022), *unreviewed by* Comm'n Notice (June 28, 2022); Order No. 28 (July 28, 2022), *unreviewed by* Comm'n Notice (Aug. 29, 2022). On October 20 and November 8, 2022, respectively, the Commission terminated the investigation as to the First and Second Settling Respondents. *See* Order No. 37 (Sept. 28, 2022), *unreviewed by* Comm'n Notice (Oct. 20, 2022); Order No. 38 (Oct. 7, 2022), *unreviewed by* Comm'n Notice (Nov. 8, 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 19 and 29, 2022, Complainants filed motions to terminate the investigation as to the Unserved Respondents based on the withdrawal of the complaint as to those respondents. *See* Mot. to Terminate Aicuiying (Sept. 19, 2022); Mot. to Terminate LQQY, LYLYMX, and JiaXuan (Sept. 29, 2022). On September 29 and October 11, 2022, respectively, OUII filed responses in support of the motions. No other response to the motions was filed. On November 2, 2022, the Chief ALJ issued the first subject ID (Order No. 39) granting the motions. The ID finds that the motions comply with the Commission Rules. *See* ID at 2. In accordance with Commission Rule 210.21(a), 19 CFR 210.21(a), Complainants represent that

"[t]here are no agreements, written or oral, express or implied, between Complainants and [Unserved Respondents] regarding the subject matter of the Investigation." *See id.* In addition, the ID finds "no extraordinary circumstances that warrant denying the motions." *See id.*

Additionally, on July 1, 2022, Complainants filed a motion pursuant to Commission Rule 210.16 (19 CFR 210.16) for an order directing the Third Defaulting Respondents to show cause why they should not be found in default for failing to respond to the complaint and notice of investigation. The motion indicates that Complainants effected service of the complaint and notice of investigation on the Third Defaulting Respondents on March 10, 2022. On July 14, 2022, OUII filed a response in support of the motion. On July 28, 2022, the Chief ALJ issued an order (Order No. 29) requiring the Third Defaulting Respondents to show cause as to why they should not be held in default for failing to respond to the complaint and notice of investigation. No response was received from the Third Defaulting Respondents. On November 2, 2022, the ALJ issued the second subject ID (Order No. 40) finding the Third Defaulting Respondents in default pursuant to Commission Rule 210.16, for failure to respond to the complaint, notice of investigation, and order to show cause.

No petitions for review of the subject IDs (Orders Nos. 39 and 40) were filed. The Commission has determined not to review the subject IDs. The Unserved Respondents are terminated from the investigation and the Third Defaulting Respondents are found in default.

The Commission vote for this determination took place on December 1, 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

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Acting Secretary to the Commission

Issued: December 2, 2022