

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN VAPORIZER DEVICES,
CARTRIDGES USED THEREWITH,
AND COMPONENTS THEREOF**

Investigation No. 337-TA-1372

**NOTICE OF A COMMISSION DETERMINATION TO EXTEND THE DATE FOR
THE COMMISSION'S DECISION ON WHETHER TO REVIEW A FINAL INITIAL
DETERMINATION**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission ("Commission") has determined to extend the date for the Commission's decision on whether to review a final initial determination ("ID") in the above-captioned investigation to March 3, 2025.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3115. 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, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: On September 26, 2023, the Commission instituted this investigation based on a complaint filed by NJOY, LLC of Scottsdale, Arizona ("NJOY"). 88 FR 66050-51 (Sept. 26, 2023). The complaint alleged violations of section 337 based on the importation into the United States, the sale for importation, or the sale within the United States after importation of certain vaporizer devices, cartridges used therewith, and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 11,497,864 and 10,334,881. The Commission's notice of investigation named JUUL Labs, Inc. of Washington, D.C. ("JUUL") as the sole respondent. *Id.* The Office of Unfair Import Investigations was named as a party in the investigation. *Id.*

On November 5, 2024, the presiding Administrative Law Judge issued a final ID on violation of section 337 and recommended determination on remedy and bond finding a violation

of section 337. On December 11, 2024, complainant NJOY filed an unopposed submission requesting an extension of time until December 23, 2024, for all parties to file petitions for review of the final ID and Wednesday, January 8, 2025, for all parties to file responses to the petitions for review.

On December 18, 2024, the Chair granted NJOY's request. Accordingly, the deadline for all parties to file petitions for Commission review of the Final ID was extended to December 23, 2024, and the deadline for all parties to file responses to the petitions was extended to January 8, 2025. On December 23, 2024, complainant NJOY filed "Complainant's Petition for Review of Initial Determination on Violation of Section 337," and respondent JUUL filed "Respondent JUUL Labs, Inc.'s Contingent Petition for Review of the Initial Determination on Violation of Section 337."

Based on the foregoing, the Commission has determined to extend the date for determining whether to review the final ID to March 3, 2025.

The Commission vote for this determination took place on January 30, 2025.

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: January 31, 2025