

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN DISPOSABLE VAPORIZER
DEVICES**

Investigation No. 337-TA-1410

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION 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 an initial determination (“ID”) (Order No. 17) of the presiding administrative law judge (“ALJ”) finding certain respondents in default.

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 July 22, 2024, based on a complaint filed on behalf of RAI Strategic Holdings, Inc.; R.J. Reynolds Vapor Company; R.J. Reynolds Tobacco Company; and RAI Services Company (collectively, “Complainants”), all of Winston-Salem, North Carolina. 89 FR 59158 (Jul. 22, 2024). 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, and the sale within the United States after importation of certain disposable vaporizer devices by reason of the infringement of certain claims of U.S. Patent No. 11,925,202. *Id.* at 59159. The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute. The Commission’s notice of investigation names thirty-five (35) respondents, including Vapeonly Technology Co. Ltd. of Hong Kong; iMiracle (Shenzhen) Technology Co., Ltd. of Shenzhen, China; Nevera (HK) Ltd. of Hong Kong; Wonder Ladies Ltd. of British Virgin Islands; Sailing South Ltd. of British Virgin Islands; Marea Morada Ltd. of British Virgin Islands; Social Brands, LLC of Dallas, Texas; Palma Terra Ltd. of British Virgin Islands; Heaven Gifts International Ltd. of Hong Kong; Shenzhen LC Technology Co., Ltd. of Shenzhen,

China; LCF Labs, Inc. of Ontario, California; Flumgio Technology Ltd. of Hong Kong; Flawless Vape Shop Inc. of Anaheim, California; Flawless Vape Wholesale & Distribution Inc. of Anaheim, California; and VICA Trading Inc. d/b/a Vapesourcing of Tustin, California (collectively, “Defaulting Respondents”); and Kimsun Technology (HuiZhou) Co., Ltd. (“Kimsun”) of Shenzhen, China. *Id.* at 59159-160. The Office of Unfair Import Investigations is also named as a party. *Id.* at 59160.

Respondent Kimsun has been terminated from the investigation based on a consent order. Order No. 10 (Aug. 28, 2024), *unreviewed by Comm’n Notice* (Sept. 23, 2024).

On September 3, 2024, in response to a motion by Complainants, the ALJ issued a “show cause” order requiring the Defaulting Respondents to show why they should not be found in default for failure to respond to the complaint and the notice of investigation by the close of business on September 13, 2024. Order No. 17 at 1 (Sept. 16, 2024) (citing Order No. 11 (Sept. 3, 2024); 19 CFR 210.16). On the same day, the Secretary served Order No. 11 on Defaulting Respondents via first class mail. *Id.* (citing Certificate of Service (Sept. 3, 2024) (EDIS Doc. ID 831210, Attachment ID 2232737)). No Defaulting Respondent has responded to the “show cause” order. *Id.* No Defaulting Respondent has responded to the complaint and the notice of investigation, has entered an appearance, or otherwise demonstrated any intent to participate in this investigation. Order No. 11 at 10.

On September 16, 2024, the ALJ issued the subject ID (Order No. 17) finding Defaulting Respondents in default pursuant to Commission Rule 210.16(a)(1). 19 CFR 210.16(a)(1). No petitions for review were filed.

The Commission has determined not to review the subject ID. The Defaulting Respondents have been found in default.

The Commission vote for this determination took place on October 8, 2024.

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: October 8, 2024