

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN HIGH-PERFORMANCE
GRAVITY-FED WATER FILTERS AND
PRODUCTS CONTAINING THE SAME**

Inv. No. 337-TA-1294

**NOTICE: ISSUANCE OF INITIAL DETERMINATION
ON VIOLATION OF SECTION 337**

(February 28, 2023)

The Final Initial Determination (“ID”) on Violation of Section 337 of the Tariff Act, as amended, 19 U.S.C. § 1337 (“Section 337”), has been issued today.

It is a finding of the ID that Complainant Brita LP (“Complainant” or “Brita”) has proven by a preponderance of evidence that Respondents Kaz USA, Inc. (“Kaz”), Helen of Troy Limited (“Helen of Troy,” and with Kaz, “the PUR Respondents”), Zero Technologies LLC (“Zero”), Culligan International Co. (“Culligan,” and with Zero, “the ZeroWater Respondents”), and Vestergaard Frandsen Inc. (“LifeStraw Respondent”) (collectively, PUR Respondents, ZeroWater Respondents and with the LifeStraw Respondent, “Respondents”) have violated subsection (b) of Section 337 of the Tariff Act of 1930, in the importation into the United States, in the sale for importation, and the sale within the United States after importation of certain high-performance gravity-fed water filters and products containing the same.


It is a finding of the ID that Respondents have infringed asserted claims 1-6 and 23 of U.S. Patent No. 8,167,141 (“the ’141 patent”), and that one of more of Complainant’s domestic industry products have satisfied the technical industry prong of the domestic industry requirement for the ’141 patent.

It is a finding of the ID that the asserted claims of the '141 patent are not invalid.

It is a finding of the ID that Complainant has satisfied the economic prong of the domestic industry requirement under Sections 337(a)(3)(A) and 337(a)(3)(B) of the Tariff Act, as amended.

The ID recommends that: (1) a Limited Exclusion Order (“LEO”) with a standard certification provision and service and repair exception be issued against the PUR, ZeroWater and LifeStraw Respondents; (2) Cease and Desist Orders (“CDO”) be issued to the PUR and LifeStraw Respondents; and (3) a bond (or bonds) is warranted and should be entered against the PUR and ZeroWater Respondents during the Presidential Review Period.

SO ORDERED.


MaryJoan McNamara
Administrative Law Judge