

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

**CERTAIN CLOUD-CONNECTED
WOOD-PELLET GRILLS AND
COMPONENTS THEREOF**

Inv. No. 337-TA-1237

**NOTICE REGARDING INITIAL DETERMINATION
ON VIOLATION OF SECTION 337**

(December 6, 2021)

On this date, the undersigned issued an initial determination on violation of section 337 and a recommended determination on remedy and bonding in the above-captioned matter.¹ For the reasons discussed therein, it is the undersigned's final initial determination in this investigation that there is a violation 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/or the sale within the United States after importation of certain cloud-connected wood-pellet grills and components thereof with respect to U.S. Patent No. 10,158,720 (the "'720 patent").

This determination is based on the following conclusions of law:

1. The Commission has subject matter jurisdiction over this investigation, *in personam* jurisdiction over Respondent, and *in rem* jurisdiction over the accused cloud-connected wood-pellet grills and components thereof.
2. There has been an importation into the United States, sale for importation, or sale within the United States after importation of the accused products by Respondent.
3. The accused products infringe claims 1 and 2 of the '720 patent.
4. The accused products do not infringe claims 12, 16, 21, and 22 of the '720 patent.

¹ The determination has been issued with a confidential designation. A public version shall issue within 30 days, or in the time necessary to identify and redact the confidential business information therein, pursuant to Commission Rule 210.5(f).

5. Certain domestic industry products practice claims 1 and 2 of the '720 patent.
6. Respondent is estopped from challenging the invalidity of the '720 patent based on the asserted prior art.
7. The '720 patent is not unenforceable for inequitable conduct.

SO ORDERED.



Charles E. Bullock
Chief Administrative Law Judge