

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN VAPORIZER CARTRIDGES
AND COMPONENTS THEREOF**

Investigation No. 337-TA-1211

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION FINDING FIVE RESPONDENTS IN DEFAULT**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined not to review an initial determination (“ID”) (Order No. 64) finding five respondents in default.

FOR FURTHER INFORMATION CONTACT: Lynde Herzbach, Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3228. 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 August 14, 2020, the Commission instituted this investigation based on a complaint, as supplemented, filed on behalf of Juul Labs, Inc. (“JLI”) of San Francisco, California. 85 FR 49679 (Aug. 14, 2020). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain vaporizer cartridges and components thereof by reason of infringement of U.S. Design Patent Nos. D842,536; D858,870; D858,869; and D858,868. *Id.* The complaint further alleges that a domestic industry exists. *Id.* The Commission’s notice of investigation (“NOI”) names forty-nine (49) respondents, including: Shenzhen Bauway Technology Ltd. of Guangdong, China; Shenzhen Apoc Technology Co., Limited of Shenzhen, China; Access Vapor LLC of Orlando, Florida; eLiquid Stop of Glendale, California; and Shenzhen Ocity Times Technology Co., Ltd. of Guangdong, China (collectively, “Defaulting Respondents”). *See id.* The Office of Unfair Import Investigations (“OUII”) is also a party to the investigation. *See id.*

On September 10 and 15, 2020, respondents Shenzhen Bauway Technology Ltd. and Shenzhen Apoc Technology Co., Limited, respectively, each filed a default notice.

On September 17, 2020, respondents Access Vapor LLC and eLiquid Stop each filed a default notice.

On October 12, 2020, respondent Shenzhen Ocity Times Technology Co., Ltd. also filed a default notice.

On September 13, 2021, the ALJ issued the subject ID (Order No. 64) finding Defaulting Respondents in default pursuant to Commission Rule 210.16 (19 CFR 210.16) based on each of the Defaulting Respondents' notice of intent to default. Order No. 64 (Sept. 13, 2021).

No party petitioned for review of the subject ID.

The Commission has determined not to review Order No. 64. The Defaulting Respondents have been found to be in default.

The Commission vote for this determination took place on September 29, 2021.

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 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).

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: September 30, 2021