

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN ELECTRIC SHAVERS AND
COMPONENTS AND ACCESSORIES
THEREOF**

Investigation No. 337-TA-1230

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING A MOTION TO TERMINATE THE INVESTIGATION
AS TO BENEPURI LLC BASED UPON WITHDRAWAL OF THE COMPLAINT**

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. 31) of the presiding administrative law judge (“ALJ”), granting an unopposed motion by Complainant Skull Shaver (“Skull Shaver”) of Moorestown, New Jersey to terminate the investigation as to Respondent Benepuri LLC (“Benepuri”) of Menands, New York based upon withdrawal of the complaint.

FOR FURTHER INFORMATION CONTACT: Panyin A. Hughes, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3042. 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 November 18, 2020, the Commission instituted this investigation based on a complaint filed by Skull Shaver. 85 FR 73510-11 (Nov. 18, 2020). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based on the importation into the United States, the sale for importation, or the sale within the United States after importation of certain electric shavers and components and accessories thereof by reason of infringement of certain claims of U.S. Patent Nos. 8,726,528 and D672,504. *Id.* The Commission’s notice of investigation named the following eleven entities as respondents: Rayenbarny Inc. (“Rayenbarny”) of New York, New York; Bald Shaver Inc. of Toronto, Canada; Suzhou Kaidiya Garments Trading Co., Ltd. d.b.a. “Digimator” of Suzhou, China; Shenzhen Aiweilai Trading Co., Ltd. d.b.a. “Teamyo” of Shenzhen, China; Wenzhou Wending Electric Appliance Co., Ltd. of Yueqing City, China; Yiwu Xingye Network

Technology Co. Ltd. d.b.a. “Roziapro” of Yiwu, China; Magicfly LLC of Hong Kong; Yiwu City Qiaoyu Trading Co., Ltd. of Yiwu, China; Shenzhen Wantong Information Technology Co., Ltd. d.b.a. “WTONG” of Shenzhen, China; Shenzhen Junmao International Technology Co., Ltd. d.b.a. “Homeas” of Shenzhen, China; and Shenzhen Nukun Technology Co., Ltd., d.b.a. “OriHea” of Shenzhen, China. The notice of investigation also named the Office of Unfair Import Investigations (“OUII”) as a party. *Id.*

On November 30, 2020, the ALJ granted an unopposed motion (1) allowing Benepuri LLC (“Benepuri”) of Menands, New York to intervene in this investigation as a respondent and (2) terminating the investigation as to Rayenbarny. The Commission determined not to review. Order No. 4 (Nov. 30, 2020), *unreviewed* by Comm’n Notice (Dec. 15, 2020).

On May 3, 2021, Skull Shaver moved to terminate the investigation as to Benepuri based upon withdrawal of the complaint. On May 6, 2021, Benepuri filed an opposition to the motion, concerned that an exclusion order would cover its products. On June 7, 2021, the ALJ issued Order No. 27, denying without prejudice Skull Shaver’s motion to terminate the investigation as to Benepuri and requesting briefing on Benepuri’s concerns that its products could be potentially subject to an exclusion order. Order No. 27 at 4 (June 7, 2021). On June 16, 2021, Benepuri filed its response to Order No. 27. On June 28, 2021, Skull Shaver filed a response agreeing that any exclusion order issued in this investigation should not apply to Benepuri’s accused products. OUII also filed a response on June 28, 2021 in support of a carve-out for Benepuri’s accused products and termination of Benepuri from the investigation.

On October 4, 2021, the ALJ issued the subject ID (Order No. 31) granting the motion. The subject ID found that the motion complies with Commission Rule 210.21(a)(1), which provides that “[a]ny party may move at any time prior to the issuance of an initial determination on violation of section 337 of the Tariff Act of 1930 for an order to terminate an investigation in whole or in part as to any or all respondents, on the basis of withdrawal of the complaint” 19 CFR 210.21(a)(1). *Id.* at 3. The ID further found that in compliance with Commission Rule 210.21(a), “Skull Shaver states that ‘there are no agreements, written or oral, express or implied between the parties concerning the subject matter of the investigation.’” *Id.* at 4. The ID stated that “if a GEO is recommended, that recommendation will also include an express carve out for Benepuri’s products at issue in this Investigation.” *Id.* No one petitioned for review of the subject ID.

The Commission has determined not to review the subject ID. The investigation is hereby terminated as to Benepuri.

The Commission vote for this determination took place on October 28, 2021.

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.

A handwritten signature in black ink, appearing to read 'LRB', enclosed within a circular flourish.

Lisa R. Barton
Secretary to the Commission

Issued: October 28, 2021