

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN PORTABLE BATTERY JUMP
STARTERS AND COMPONENTS
THEREOF**

Investigation No. 337-TA-1256

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION FINDING TEN 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. 23) of the presiding administrative law judge (“ALJ”) finding the following respondents in default: Energen, Inc. (“Energen”) of City of Industry, California; FlyLink Tech Co., Ltd. (“FlyLink”) of Guangdong, China; K-Tool International (“K-Tool”) of Plymouth, Michigan; MonoPrice, Inc. (“MonoPrice”) of Brea, California; Prime Global Products, Inc. (“Prime Global”) of Ball Ground, Georgia; Shenzhen Mediatek Tong Technology Co., Ltd. (“Shenzhen Mediatek”) and Shenzhen Valuelink E-Commerce Co., Ltd. (“Shenzhen Valuelink”), both of Shenzhen, China; ThiEYE Technologies Co., Ltd. (“ThiEYE”) of Longgang District, China; Tii Trading Inc. (“Tii Trading”) of Baldwin Park, California; and Zhejiang Quingyou Electronic Commerce Co., Ltd. (“Zhejiang Quingyou Electronic”) of Zhejiang, China (collectively, “the Defaulting Respondents”).

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436, telephone (202) 708-2310. 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: The Commission instituted this investigation on March 23, 2021, based on a complaint filed by The NOCO Company (“NOCO”) of Glenwillow, Ohio. 86 FR 15496-98 (Mar. 23, 2021). The complaint, as amended and 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 portable battery jump starters and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 9,007,015 and 10,604,024, and U.S. Trademark Registration Nos. 4,811,656 and 4,811,749. The complaint further alleges the existence of a domestic industry. The Commission's notice of investigation ("NOI"), as amended, named forty-seven (47) respondents, including the Defaulting Respondents. 86 FR 27650-51 (May 21, 2021). The complaint and NOI were served on the Defaulting Respondents, but they did not respond. See Order No. 23 at 2. The Office of Unfair Import Investigations is participating in the investigation.

The Commission has previously terminated multiple respondents from the investigation. See Order No. 9 (Apr. 13, 2021), *unreviewed by* Comm'n Notice (May 12, 2021); Order No. 11 (Apr. 19, 2021), *unreviewed by* Comm'n Notice (May 4, 2021); Order No. 14 (Apr. 23, 2021), *unreviewed by* Comm'n Notice (May 18, 2021); Order No. 21 (July 7, 2021), *unreviewed by* Comm'n Notice (July 26, 2021).

On April 26, 2021, NOCO filed a motion, pursuant to Commission Rule 210.16 (19 CFR 210.16), for the following: (1) an order directing the Defaulting Respondents to show cause why they should not be found in default for failure to respond to the complaint and NOI as required by Commission Rule 210.13 (19 CFR 210.13); and (2) the issuance of an ID finding the Defaulting Respondents in default upon their failure to show cause. No party opposed the motion and the Defaulting Respondents did not respond to the motion.

On May 17, 2021, Order No. 17 issued requiring the Defaulting Respondents to show cause no later than May 28, 2021, as to why they should not be held in default and have judgment rendered against them pursuant to Commission Rule 210.16 (19 CFR 210.16). The Defaulting Respondents did not respond to Order No. 17.

On July 13, 2021, the ALJ issued the subject ID (Order No. 23) pursuant to Commission Rule 210.16, finding the Defaulting Respondents in default because they did not respond to the complaint, NOI, or Order No. 17. No party petitioned for review.

The Commission has determined not to review the subject ID. Accordingly, respondents Energen; FlyLink; K-Tool; MonoPrice; Prime Global; Shenzhen Mediatek; Shenzhen Valuelink; ThiEYE; Tii Trading; and Zhejiang Quingyou Electronic have been found in default.

The Commission vote for this determination took place on July 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 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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', enclosed within a large, loopy oval flourish.

Lisa R. Barton
Secretary to the Commission

Issued: July 30, 2021