

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN OIL-VAPING CARTRIDGES,
COMPONENTS THEREOF, AND
PRODUCTS CONTAINING THE SAME**

Investigation No. 337-TA-1286

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW INITIAL
DETERMINATIONS TERMINATING THE INVESTIGATION AS TO RESPONDENTS
DC ALCHEMY AND ROYAL SUPPLY BASED ON CONSENT ORDER
STIPULATIONS; ISSUANCE OF CONSENT ORDERS**

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 initial determinations (“ID”) (Order Nos. 12 & 13) of the presiding administrative law judge (“ALJ”) terminating the investigation with respect to respondents DC Alchemy LLC and dealchemy.com (collectively, “DC Alchemy”) and CLK Global, Inc., Royalsupplywholesale.com, and Customcannabisbranding.com (collectively, “Royal Supply”) based on consent order stipulations. The Commission has entered consent orders against respondents DC Alchemy and Royal Supply.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, D.C. 20436, telephone 202-205-2392. 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: The Commission instituted this investigation on November 10, 2021, based on a complaint filed on behalf of Shenzhen Smoore Technology Limited (“Smoore”) of China. 86 FR 62567-69 (Nov. 10, 2021). The complaint, as supplemented, alleges violations 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, or the sale within the United States after importation of certain oil-vaping cartridges, components thereof, and products containing the same by reason of infringement of certain claims of U.S. Patent Nos. 10,357,623; 10,791,763; 10,791,762; and U.S. Registered Trademark No. 5,633,060. *Id.* at

62567-68. The complaint further alleges that a domestic industry exists. *Id.* at 62568. The Commission’s notice of investigation named numerous respondents including DC Alchemy of Phoenix, AZ and Royal Supply of San Francisco, CA. *Id.* at 62568. The Office of Unfair Import Investigations (“OUII”) is also named as a party in this investigation. *Id.*

On December 7, 2021, complainant Smoore and respondent DC Alchemy filed a joint motion to terminate the investigation with respect to DC Alchemy based upon a consent order stipulation. That same day, complainant Smoore and respondent Royal Supply filed a joint motion to terminate the investigation with respect to Royal Supply based upon a consent order stipulation. The motions included consent order stipulations and proposed consent orders. OUII filed responses supporting the motions. No other party responded to the motions.

On December 21, 2021, the ALJ issued IDs (Order Nos. 12 & 13) terminating the investigation with respect to DC Alchemy and Royal Supply based on the entry of consent orders. The IDs found that the consent order stipulations and proposed consent orders complied with Commission Rule 210.21(c)(3) and (4) (19 CFR 210.21(c)(3) and (4)). *See* Order No. 12 at 2 (Dec. 21, 2021); Order No. 13 at 2 (Dec. 21, 2021). The IDs also found that termination of the investigation with respect to Respondents DC Alchemy and Royal Supply would not be contrary to the public interest. *See* Order No. 12 at 2-3; Order No. 13 at 2-3. No petitions for review of the IDs were received.

The Commission has determined not to review the subject IDs and to issue consent orders. Respondents DC Alchemy and Royal Supply are hereby terminated from the investigation.

The Commission vote for this determination took place on January 11, 2022.

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: January 11, 2022