

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

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

Inv. No. 337-TA-1286

NOTICE OF INSTITUTION OF INVESTIGATION

Institution of Investigation Pursuant to 19 U.S.C. 1337

AGENCY: U.S. International Trade Commission

ACTION: Notice

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on October 4, 2021, under section 337 of the Tariff Act of 1930, as amended, on behalf of Shenzhen Smoore Technology Limited of China. Supplements were filed on October 8, 2021, and October 21, 2021. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and 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: (1) certain claims of Patent No. 10,357,623 (“the ’623 patent”); U.S. Patent No. 10,791,763 (“the ’763 patent”); U.S. Patent No. 10,791,762 (“the ’762 patent”); and (2) U.S. Registered Trademark No. 5,633,060 (“the ’060 mark”). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and a cease and desist order.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Pathenia M. Proctor, The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

SUPPLEMENTARY INFORMATION:

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission’s Rules of Practice and Procedure, 19 C.F.R. 210.10 (2020).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on November 3, 2021, **ORDERED THAT** –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsections (a)(1)(B) and (C) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claims 1-3, 5, and 6 of the ’623 patent; claims 1, 2, and 7 of the ’762 patent; claims 1 and 11 of the ’763 patent; and the ’060 mark, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission’s Rules of Practice and Procedure, 19 C.F.R. 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is “oil-vaping cartridges having a liquid reservoir for containing a vaporizable oil;”

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

Shenzhen Smoore Technology Limited
Block 16, Dongcai Industry Park
Gushu Village, Bao’an District
Shenzhen, China

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

BBTank USA, LLC
213 Secor Road #583
Lambertville, MI 48144

Glo Extracts
6230 Wilshire Blvd.
Los Angeles, CA 90048

BulkCarts.com
42010 Koppernick Road, Ste 114
Canton, MI 48187

Greenwave Naturals LLC
11800 Silkwood Cove
Austin, TX 78739

BoldCarts.com
1810 W. 4th St.
Tempe, AZ 85281

Bold Crafts, Inc.
420 Goddard Ave.,
Irvine, CA 92618

Bline Group Holdings, LLC
40 Fulton Street, 6 Floor
New York, NY 10038

Jonathan Ray Carfield
d/b/a AlderEgo Wholesale, AlderEgo Holdings, Inc. and AlderEgo Group
Limited a/k/a AVD Holdings Limited
Apt. 2702, Unit 1, Block A
Tianyuan Building 5, Gangxia Center
Futian District, Shenzhen 518016 Guangdong, China

Hanna Carfield
PO Box 7010
Tacoma, Washington 98417

Next Level Ventures, LLC
3131 Western Ave., Ste 325
Seattle, WA 98121

Advanced Vapor Devices, LLC
1230 Long Beach Ave.
Los Angeles, CA 90021

avd710.com
3131 Western Ave, Suite 325
Seattle, WA 98121

AlderEgo Group Limited (“AEG”)
Room 21, Unit A, 11F, Tin Wui Industrial Building, No. 3 Hing Wong
Street, Tuen Mun, N.T., Hong Kong

A&A Global Imports, Inc. d/b/a Marijuana Packaging
3359 East 50th Street
Vernon, CA 90058

Bulk Natural, LLC d/b/a True Terpenes
524 E Burnside Street, Suite 600
Portland, OR 97214

Brand King, LLC
717 Del Paso Road
Sacramento, CA 95834

ZTCSMOKE USA Inc.
599B West John Sims Pkwy
Niceville, FL 35278

headcandysmokeshop.com
200-2288 No. 5 Road,
Richmond, BC V6X 2T1 Canada

Head Candy Enterprise Ltd.
121-618 East Kent Ave. South
Vancouver, BC V5X 0B1, Canada

Green Tank Technologies Corp.
102-135 Liberty Street
Toronto, ON, M6K 1A7, Canada

Cannary Packaging Inc.
9-1415 Hunter Court Kelowna
BC, V1X 6E6, Canada

Cannary LA
2901 Gardena Avenue
Signal Hill, CA 90755

dcalchemy.com
10645 N. Tatum Blvd., Suite 200
Phoenix, AZ 85028

DC Alchemy, LLC
10645 N. Tatum Blvd., Suite 200
Phoenix, AZ 85028

Cartridgesforsale.com
P.O. Box 971024
Ypsilanti, MI 48197

HW Supply, LLC
324 Airport Industrial Dr.
Ypsilanti, MI, 48198

International Vapor Group, LLC
14300 Commerce Way
Miami Lakes, FL 33016

Obsidian Supply, Inc.
16 Technology Dr. #103
Irvine, CA 92618

Ygreeninc.com
671 Brea Canyon Road, Suite-2
Walnut, CA 91789

Ygreen Inc.
671 Brea Canyon Road, Suite-2
Walnut, CA 91789

Atmos Nation LLC
4800 SW 51st Street, Suite 106
Davie, FL 33314

shopbvv.com
1251 Frontenac Road, Suite 150
Naperville, IL 60563

Best Value Vacs, LLC
1251 Frontenac Road, Suite 150
Naperville, IL 60563

Royalsupplywholesale.com
5432 Geary Blvd., Suite 321
San Francisco, CA 94121

Customcanabisbranding.com
5432 Geary Blvd., Ste. 321
San Francisco, CA 94121

CLK Global, Inc.
5432 Geary Blvd., Ste. 321
San Francisco, CA 94121

iKrusher.com
11818 Clark Street
Arcadia, CA 91006

The Calico Group Inc.
2801 Via Fortuna Suite 675
Austin, TX 78746

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.13. Pursuant to 19 C.F.R. 201.16(e) and 210.13(a), as amended in 85 Fed. Reg. 15798 (March 19, 2020), such responses will be considered by the Commission if received not later than 20 days after the date of service by the complainant of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: November 4, 2021