

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN SMART THERMOSTAT
HUBS, SYSTEMS CONTAINING THE
SAME, AND COMPONENTS OF THE
SAME**

Investigation No. 337-TA-1339

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION SETTING A 17-MONTH TARGET DATE**

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. 3) of the presiding administrative law judge (“ALJ”) setting a 17-month target date for completion of the above-captioned investigation of March 21, 2024.

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 October 24, 2022, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), based on a complaint filed by EDST, LLC and Quxet IoT, LLC, both of Lubbock, Texas. *See* 87 FR 64247 (Oct. 24, 2022). The complaint, as supplemented, alleges a violation of section 337 based upon the importation into the United States, sale for importation, or sale after importation into the United States of certain smart thermostat hubs, systems containing the same, and components of the same by reason of the infringement of certain claims of U.S. Patent Nos. 10,825,273; 10,803,685; and 11,189,118. *Id.* The complaint further alleges that a domestic industry exists. *Id.* The notice of investigation names iApartments, Inc. of Tampa, Florida and Hsun Wealth Technology Co., Ltd. and Huarifu Technology Co., Ltd. both of Taoyuan City,

Taiwan as respondents. *Id.* The Office of Unfair Import Investigations is not participating in this investigation.

On October 24, 2022, the ALJ issued the subject ID (Order No. 3) pursuant to Commission Rule 210.51 (19 CFR 210.51), setting a 17-month target date for completion of the investigation of March 21, 2024. Order No. 3 (Oct. 24, 2022). The ID explains that the target date is necessary due to the ALJ's schedule and obligations in other investigations. Pursuant to this schedule, the final initial determination on violation will be due no later than November 21, 2023.

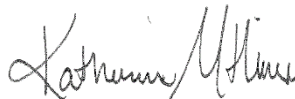
No party petitioned for review of the subject ID.

The Commission has determined not to review the subject ID (Order No. 3). The target date for completion of the investigation is set at March 21, 2024.

The Commission vote for this determination took place on November 10, 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.



Katherine M. Hiner
Acting Secretary to the Commission

Issued: November 10, 2022