

**UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.**

In the Matter of

**CERTAIN SELF-BALANCING ELECTRIC
SKATEBOARDS AND COMPONENTS
THEREOF**

Investigation No. 337-TA-1386

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANT’S MOTION FOR PARTIAL
TERMINATION AS TO CERTAIN RESPONDENTS**

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 the presiding administrative law judge’s (“ALJ”) initial determination (“ID”) (Order No. 13) terminating the investigation as to respondents Changzhou Smilo Motors Co., Ltd., Changzhou Gaea Technology Co., Ltd., and Shanghai Loyal Industry Co., Ltd. d/b/a SoverSky.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2737. 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 January 16, 2024, the Commission instituted this investigation based on a complaint filed by Future Motion, Inc. of Santa Cruz, California (“Complainant,” or “Future Motion”). 89 FR 2644-45 (Jan. 16, 2024). The complaint 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, or sale within the United States after importation of certain self-balancing electric skateboards and components thereof by reason of the infringement of one or more of claims 1, 2, 4-6, 8-10, 13-15, and 17-19 of U.S. Patent No. 9,400,505 (“the ’505 patent”). *Id.* at 2644. The Commission’s notice of investigation named as respondents Floatwheel of Guilin City, GuangXi Province, China (“Floatwheel”); Changzhou Smilo Motors Co., Ltd. of Changzhou, Jiangsu Province, China (“Smilo”); Changzhou Gaea Technology Co., Ltd. of Changzhou, Jiangsu, China (“Gaea”); and Shanghai Loyal Industry Co., Ltd., d/b/a “SoverSky” of Shanghai, China (“SoverSky”) (collectively, “Respondents”). *Id.* at 2645. The Office of Unfair Import Investigations (“OUII”) was also named as a party in this investigation. *Id.*

On March 12, 2024, Complainant moved to withdraw its complaint and terminate this investigation with respect to respondents Smilo, Gaea, and SoverSky. Motion Docket No. 1386-06 (“Mot.”) at 1 (EDIS Doc. ID 815981). The motion states that respondents Smilo and Gaea, and OUII do not oppose. *Id.* The motion also states that Future Motion made a good faith effort to meet and confer regarding this motion with respondents Floatwheel and SoverSky using the email addresses found to be sufficient for effective service in this investigation (tonyfloatwheel@gmail.com and support@sl-soversky.com, respectively), but neither responded. *Id.* at 1–2.

On March 13, 2024, the ALJ granted the unopposed motion. The ID found that the motion complies with the Commission Rules. ID at 1-2. The ID noted that, as required by Commission Rule 210.21(a)(1), Future Motion states that “[t]here are no agreements, written or oral, express or implied, between Complainant and Smilo, Gaea, or SoverSky concerning the subject matter of this Investigation.” ID at 2 (citing Mot. at 2). The ID further noted that the motion states that “if this Motion is granted and the Investigation is terminated as to Smilo, Gaea, and SoverSky, Future Motion will no longer seek a general exclusion order, but rather will seek only a limited exclusion order against Floatwheel.” *Id.* (quoting Mot. at 2).

The ID further found that there are no extraordinary circumstances that warrant denying the motion. *Id.* No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID. Respondents Smilo, Gaea, and SoverSky are hereby terminated from the investigation.

The Commission vote for this determination took place on April 12, 2024.

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: April 12, 2024