

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN DISPOSABLE VAPORIZER
DEVICES**

Investigation No. 337-TA-1410

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO RESPONDENT
BIDI VAPOR, LLC BASED ON A CONSENT ORDER STIPULATION;
ISSUANCE OF A CONSENT ORDER**

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. 26) of the presiding administrative law judge (“ALJ”) granting a motion to terminate the investigation as to Respondent Bidi Vapor, LLC (“Bidi Vapor”) based on a consent order stipulation. The Commission has entered a consent order against Bidi Vapor.

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 July 22, 2024, based on a complaint filed on behalf of RAI Strategic Holdings, Inc.; R.J. Reynolds Vapor Company; R.J. Reynolds Tobacco Company; and RAI Services Company (collectively, “Complainants”), all of Winston-Salem, North Carolina. 89 FR 59158 (Jul. 22, 2024). 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, and the sale within the United States after importation of certain disposable vaporizer devices by reason of the infringement of certain claims of U.S. Patent No. 11,925,202. *Id.* at 59159. The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute. The Commission’s notice of investigation names thirty-five (35) respondents, including Vapeonly Technology Co. Ltd. of Hong Kong; iMiracle (Shenzhen) Technology Co.,

Ltd. of Shenzhen, China; Nevera (HK) Ltd. of Hong Kong; Wonder Ladies Ltd. of British Virgin Islands; Sailing South Ltd. of British Virgin Islands; Marea Morada Ltd. of British Virgin Islands; Social Brands, LLC of Dallas, Texas; Palma Terra Ltd. of British Virgin Islands; Heaven Gifts International Ltd. of Hong Kong; Shenzhen LC Technology Co., Ltd. of Shenzhen, China; LCF Labs, Inc. of Ontario, California; Flumgio Technology Ltd. of Hong Kong; Flawless Vape Shop Inc. of Anaheim, California; Flawless Vape Wholesale & Distribution Inc. of Anaheim, California; and VICA Trading Inc. d/b/a Vapesourcing of Tustin, California (collectively, “Defaulting Respondents”); Kimsun Technology (HuiZhou) Co., Ltd. (“Kimsun”) of Shenzhen, China; and Bidi Vapor of Orlando, Florida. *Id.* at 59159-160. The Office of Unfair Import Investigations (“OUII”) is also named as a party. *Id.* at 59160.

Respondent Kimsun has been terminated from the investigation based on a consent order. Order No. 10 (Aug. 28, 2024), *unreviewed by* Comm’n Notice (Sept. 23, 2024). The Defaulting Respondents have been found in default. Order No. 17 (Sept. 16, 2024), *unreviewed by* Comm’n Notice (Oct. 8, 2024).

On November 1, 2024, Respondent Bidi Vapor moved to terminate the investigation as to Bidi Vapor based on a consent order stipulation. The motion stated that Complainants do not oppose. OUII filed a response in support of the motion. No other responses were filed.

On November 5, 2024, the ALJ issued the subject ID (Order No. 26) granting the motion to terminate the investigation with respect to Respondent Bidi Vapor based on the entry of a consent order. The ID found that the consent order stipulation and proposed consent order conform with Commission Rule 210.21(c)(3) and (4) (19 CFR 210.21(c)(3) and (4)). The ID also found that termination of the investigation with respect to Respondent Bidi Vapor would not be contrary to the public interest. No petitions for review were filed.

The Commission has determined not to review the subject ID and to issue a consent order against Respondent Bidi Vapor.

The Commission vote for this determination took place on December 5, 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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', with a stylized, cursive script.

Lisa R. Barton
Secretary to the Commission

Issued: December 6, 2024