

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN RECHARGEABLE
BATTERIES AND COMPONENTS
THEREOF**

Inv. No. 337-TA-1421

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 September 12, 2024, under section 337 of the Tariff Act of 1930, as amended, on behalf of LithiumHub, LLC of Norris, South Carolina; Lithiumhub Technologies, LLC of Marshall, Texas; and Mr. Martin Koebler of Norris, South Carolina. Supplements to the complaint were filed on September 30, October 2, and October 7, 2024. The complaint 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 rechargeable batteries and components thereof by reason of the infringement of certain claims of U.S. Patent No. 9,412,994 (“the ’994 patent”) and U.S. Patent No. 9,954,207 (“the ’207 patent”). The complaint further alleges that an industry in the United States exists or is in the process of being established 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 cease and desist orders.

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 (2024).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on October 15, 2024, 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 subsection (a)(1)(B) 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, 4-9, 11-16, and 18-23 of the '994 patent and claims 1-10 and 12-20 of the '207 patent, and whether an industry in the United States exists or is in the process of being established 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 "lithium-ion batteries with 6V or more electrical potential, and components used for domestic assembly of lithium-ion batteries with 6V or more electrical potential, specifically, battery management systems and lithium-based rechargeable cells";

(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 complainants are:

LithiumHub, LLC
125 Tate Road
Norris, SC 29667

Lithiumhub Technologies, LLC
104 E Houston, Ste. 150
Marshall, TX 75670

Mr. Martin Koebler
125 Tate Road
Norris, SC 29667

(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:

Bass Pro Outdoor World LLC
2500 East Kearney Street
Springfield, MO 65898

Cabela's LLC
2500 East Kearney Street
Springfield, MO 65898

Navico Group Americas LLC
N85 W12545 Westbrook Crossing
Menomonee Falls, WI 53051

Relion Battery (Shenzhen) Technology Co.
Room 410, 4th Floor, Cui Hua Da Industrial
Park, No. 144 Botanical Garden Road,
Nanyu E Community
Shenzhen, China

Renogy New Energy Co., LTD
25A, Hengye Platinum, No. 1338
Sanxiang Road, Gusu District
Suzhou City, Jiangsu, China

RNG International Inc.
5050 S. Archibald Avenue
Ontario, CA 91762

Clean Republic SODO LLC
225 S. Lucile St.
Seattle, WA 98108

Shenzhen Yichen S-Power Tech Co. LTD
Floor 7, Building B4b,
Yingzhan Industrial Zone, Longtian
Community,
Zehgzi Street, Pingshan District,
Shenzhen, China

Shenzhen Fbtech Electronics LTD
No 4-5, Fendmenyuan Industrial Park,
Fenfhuang Avenue, Longgang
Shenzhen, Guangdong, China

Shenzhen LiTime Technology Co., LTD
Room 301, Building B, Baolong 5th Road
Baolong Community, Baolong Street,
Shenzhen, Guangdong, China

Dragonfly Energy Corp.
1190 Trademark Dr. #108
Reno, NV 89521

Dragonfly Energy Holdings Corp.
1190 Trademark Dr. #108
Reno, NV 89521

MillerTech Energy Solutions LLC
14632 Old State Road
Middlefield, OH 44062

(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 complainants 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: October 16, 2024