

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

In the Matter of

**CERTAIN PORTABLE BATTERY JUMP
STARTERS AND COMPONENTS
THEREOF**

Investigation No. 337-TA-1256

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW INITIAL
DETERMINATIONS TERMINATING THE INVESTIGATION AS TO
U.S. PATENT NO. 9,007,015 AND SEVERAL 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 two initial determinations (“IDs”) issued by the presiding administrative law judge (“ALJ”): (1) Order No. 46 terminating the investigation as to U.S. Patent No. 9,007,015 (“the ’015 Patent”), which also resulted in terminating the investigation as to respondents Deltran USA, LLC of DeLand, Florida; Halo2Cloud, LLC of Hartford, Connecticut; ZAGG Inc. of Midvale, Utah; Clore Automotive, LLC of Lenexa, Kansas; and Anker Innovations Ltd. (HK) of Birmingham, United Kingdom (collectively, “the ’015 Patent Respondents”); and (2) Order No. 47 terminating the investigation as to respondents Shenzhen Jieruijia Technology Co., Ltd. of Guang Ming District, China and Shenzhen Take Tools Co., Ltd. of Guangdong, China (collectively, the “Unserved Respondents”). The ’015 Patent, the ’015 Patent Respondents, and the Unserved Respondents are terminated from the investigation.

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436, telephone (202) 708-2310. 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: The Commission instituted this investigation on March 23, 2021, based on a complaint filed by The NOCO Company (“NOCO”) of Glenwillow, Ohio. 86 FR 15496-98 (Mar. 23, 2021). The complaint, as amended and supplemented, 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, and the sale within the United States after importation of certain portable battery jump starters and components thereof by reason of infringement of certain claims of the ’015 Patent, U.S. Patent No. 10,604,024, and U.S. Trademark Registration Nos. 4,811,656 and 4,811,749. The complaint further alleges the existence of a domestic industry. The Commission’s notice of investigation, as amended, named forty-seven (47) respondents, including the ’015 Patent Respondents and the Unserved Respondents. 86 FR 27650-51 (May 21, 2021). The Office of Unfair Import Investigations is participating in the investigation.

The Commission has previously terminated several respondents from the investigation. *See* Order No. 9 (Apr. 13, 2021), *unreviewed by* Comm’n Notice (May 12, 2021); Order No. 11 (Apr. 19, 2021), *unreviewed by* Comm’n Notice (May 4, 2021); Order No. 14 (Apr. 23, 2021), *unreviewed by* Comm’n Notice (May 18, 2021); Order No. 21 (July 7, 2021), *unreviewed by* Comm’n Notice (July 26, 2021); Order No. 31 (Sept. 20, 2021), *unreviewed by* Comm’n Notice (Oct. 12, 2021); Order No. 35 (Oct. 21, 2021), *unreviewed by* Comm’n Notice (Nov. 22, 2021); Order No. 44 (Nov. 15, 2021), *unreviewed by* Comm’n Notice (Dec. 6, 2021).

On November 12, 2021, NOCO filed an unopposed motion to terminate the investigation as to the ’015 Patent based on withdrawal of the infringement allegations in the Complaint as to that patent. The motion notes that termination of the investigation as to the ’015 Patent also will terminate the investigation as to the ’015 Patent Respondents because the withdrawal of the ’015 Patent terminates all pending infringement allegations against these respondents.

On November 15, 2021, NOCO filed an unopposed motion to terminate the investigation with respect to the Unserved Respondents based upon withdrawal of the Complaint. The motion notes that NOCO has been unable to serve the Complaint on the Unserved Respondents at their published addresses.

On December 6, 2021, the ALJ issued the subject IDs (Order Nos. 46, 47) granting NOCO’s unopposed motions to terminate the investigation as to the ’015 Patent and the Unserved Respondents. The ID notes that termination of the investigation as to the ’015 Patent also will result in termination of the investigation as to the ’015 Patent Respondents. The ID finds that the motions for termination satisfied Commission Rule 210.21(a)(1) (19 CFR 210.21(a)(1)) and that no extraordinary circumstances exist that would prevent the requested termination. No party petitioned for review of the subject IDs.

The Commission has determined not to review the subject IDs. The '015 Patent, the '015 Patent Respondents, and Unserved Respondents are terminated from the investigation.

The Commission vote for this determination took place on January 3, 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.

Issued: January 4, 2022.

A handwritten signature in black ink, appearing to read "Lisa R. Barton", written in a cursive style.

Lisa R. Barton,
Secretary to the Commission.