

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN OIL-VAPING CARTRIDGES,
COMPONENTS THEREOF, AND
PRODUCTS CONTAINING THE SAME**

Investigation No. 337-TA-1286

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION IN PART WITH
RESPECT TO TWO RESPONDENTS BASED ON A SETTLEMENT AGREEMENT**

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. 29) of the presiding administrative law judge (“ALJ”), granting a motion to terminate the investigation in part based on a settlement agreement with Marosi Designs LLC (d/b/a/ Best Value Vacs, BVV, and/or shopbvv.com) (collectively, “the BVV Respondents”).

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 November 10, 2021, based on a complaint filed on behalf of Shenzhen Smoore Technology Limited (“Smoore”) of China. 86 FR 62567-69 (Nov. 10, 2021). The complaint, as supplemented, alleged 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, or the sale within the United States after importation of certain oil-vaping cartridges, components thereof, and products containing the same by reason of infringement of certain claims of U.S. Patent Nos. 10,357,623; 10,791,763; 10,791,762; and U.S. Registered Trademark No. 5,633,060. *Id.* at 62567-68. The complaint further alleged that a domestic industry exists. *Id.* at 62568. The Commission’s notice of investigation named numerous respondents including Best Value Vacs,

LLC and *shopbvv.com*, both of Naperville, IL. *Id.* at 62568. The Office of Unfair Import Investigations (“OUII”) is also named as a party in this investigation. *Id.*

On January 5, 2022, Smoore and the BVV Respondents filed a joint motion to terminate the investigation as to the BVV Respondents based on a settlement agreement pursuant to Commission Rule 210.21(a), 19 CFR 210.21(a). *See* Order No. 29 at 1-2 (Jun. 7, 2022). The settlement agreement is signed by Marosi Designs, LLC, which is not a named respondent in this investigation. *Id.* at 2 n.2. However, the motion and settlement agreement indicate that the named respondents, Best Value Vacs and *shopbvv.com*, are each a d/b/a of Marosi Designs, LLC. *Id.* OUII filed a response supporting the motion. *Id.* at 1. No other response was filed.

On June 7, 2022, the ALJ issued the subject ID granting the motion. *Id.* at 3. The ID found that the motion complies with the Commission Rules. *Id.* at 1-2. The ID also found that there is “no evidence that terminating this investigation on the basis of settlement would adversely affect the public health and welfare, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.” *Id.* at 3. No petitions for review were filed.

The Commission has determined not to review the subject ID. Best Value Vacs and *shopbvv.com* are hereby terminated from the investigation.

The Commission vote for this determination took place on June 22, 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.



Lisa R. Barton
Secretary to the Commission

Issued: June 22, 2022