

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN SOFT PROJECTILE
LAUNCHING DEVICES,
COMPONENTS THEREOF,
AMMUNITION, AND PRODUCTS
CONTAINING SAME**

Investigation No. 337-TA-1325

**NOTICE OF COMMISSION DETERMINATION TO EXTEND THE DATE FOR
WHETHER TO REVIEW A FINAL INITIAL DETERMINATION**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to extend the date by which it must determine whether to review a final initial determination (“Final ID”) issued by the presiding administrative law judge (“ALJ”) in the above-captioned investigation to January 30, 2024.

FOR FURTHER INFORMATION CONTACT: Robert J. Needham, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-5468. 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: On August 26, 2022, the Commission instituted this investigation based on a complaint, as amended, filed on behalf of Hasbro, Inc. of Pawtucket, Rhode Island, and Spin Master, Inc. of Los Angeles, California (together, “Complainants”). 87 FR 52595-96 (Aug. 26, 2022). The complaint, as amended and supplemented, alleged violations of section 337 of the Tariff Act of 1930, 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 soft projectile launching devices, components thereof, ammunition, and products containing same that infringe claims 1-15 and 17-21 of U.S. Patent No. 8,371,282 (“the ’282 patent”) and claims 1-6 and 10-15 of U.S. Patent No. 8,640,683 (“the ’683 patent”). *Id.*

at 52595. The complaint also alleged that a domestic industry exists or is in the process of being established. *Id.* The Commission’s notice of investigation names as respondents, which are divided into three groups: (1) Shenzhen Yi Jin Electronics Science of Shenzhen City, China; Guangdong Yu Lee Technology Corporation of Dongguan City, China; Yu Lee Company Ltd. of Tsuen Wan, Hong Kong; and Gel Blaster Inc. f/k/a Gel Blaster, LLC of Austin, Texas (collectively, “Gel Blaster”); (2) S-Beam Precision Products Ltd. of Zhongshan City, China; Splat-R-Ball, LLC of Rogers, Arkansas; and Daisy Manufacturing Company of Rogers, Arkansas (collectively, “Splat-R-Ball”); and (3) Prime Time Toys Ltd. of Kwun Tong, Hong Kong; Prime Time Toys LLC of Pompton Lakes, New Jersey; and Easebon Services Ltd. of Kwun Tong, Hong Kong (“collectively, “PTT”) . *Id.* The Office of Unfair Import Investigations is participating in this investigation. *Id.*

The Commission previously terminated the investigation with respect to Gel Blaster, Splat-R-Ball, and claims 1-7, 9-15, 17, 18 and 21 of the ’282 patent and claims 1-4, 6, 10-12, 13 and 15 of the ’683 patent based on Complainants’ partial withdrawal of its allegations. Order No. 10 (Oct. 25, 2022), *unreviewed by* Comm’n Notice (Nov. 16, 2022); Order No. 21 (Jan. 18, 2023), *unreviewed by* Comm’n Notice (Feb. 14, 2023); Order No. 42 (May 17, 2023), Order No. 44 (May 17, 2023), and Order No. 45 (May 19, 2023), *unreviewed by* Comm’n Notice (May 30, 2023).

On October 25, 2023, the ALJ issued the Final ID finding a violation of section 337 by PTT with respect to claims 8, 19, and 20 of the ’282 patent and claims 5 and 14 of the ’683 patent. On November 6, 2023, PTT petitioned for review of the Final ID, which was opposed by Complainants and OUII on November 21 and 22, 2023, respectively. Also on November 6, Complainants filed a contingent petition for review of the Final ID, which was opposed by PTT and OUII on November 24 and 22, 2023, respectively.

The Commission has determined to extend the date for its determination on whether to review the Final ID to January 30, 2024.

The Commission vote for this determination took place on December 14, 2023.

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: December 14, 2023