

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN SMART THERMOSTAT
HUBS, SYSTEMS CONTAINING THE
SAME, AND COMPONENTS OF THE
SAME**

Investigation No. 337-TA-1339

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO ONE
RESPONDENT BASED ON PARTIAL WITHDRAWAL OF THE COMPLAINT**

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. 5) of the presiding administrative law judge (“ALJ”) granting the complainants’ unopposed motion to terminate the above-captioned investigation as to respondent Huarifu Technology Co., Ltd. of Taoyuan City, Taiwan (“Huarifu”) based on partial withdrawal of the complaint. Huarifu is terminated from the investigation.

FOR FURTHER INFORMATION CONTACT: Lynde Herzbach, Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3228. 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 October 24, 2022, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), based on a complaint filed by EDST, LLC and Quext IoT, LLC, both of Lubbock, Texas (collectively, “Complainants”). *See* 87 FR 64247 (Oct. 24, 2022). The complaint, as supplemented, alleges a violation of section 337 based upon the importation into the United States, sale for importation, or sale after importation into the United States of certain smart thermostat hubs, systems containing the same, and components of the same by reason of the infringement of certain claims of U.S. Patent Nos. 10,825,273; 10,803,685; and 11,189,118. *Id.* The complaint further alleges that a domestic industry exists. *Id.* The notice of investigation names iApartments, Inc. of Tampa, Florida; Hsun Wealth Technology Co., Ltd. of Taoyuan City,

Taiwan; and Huarifu as respondents. *Id.* The Office of Unfair Import Investigations is not participating in this investigation.

On November 8, 2022, Complainants filed an unopposed motion to terminate the investigation as to Huarifu based on partial withdrawal of the complaint. No response to the unopposed motion was filed.

On November 9, 2022, the ALJ issued the subject ID (Order No. 5) granting Complainants' unopposed motion to terminate the investigation as to Huarifu. The subject ID finds that Complainants meet the requirements of Commission Rule 210.21(a) (19 CFR 210.21(a)) and there are no extraordinary circumstances that would prevent the requested partial termination of the investigation.

No party petitioned for review of the subject ID.

The Commission has determined not to review the subject ID (Order No. 5). Huarifu is terminated from the investigation.

The Commission vote for this determination took place on December 2, 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.



Katherine M. Hiner
Acting Secretary to the Commission

Issued: December 2, 2022