

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN OIL VAPORIZING DEVICES,
COMPONENTS THEREOF, AND
PRODUCTS CONTAINING THE SAME**

Investigation No. 337-TA-1392

**NOTICE OF THE COMMISSION’S DETERMINATION TO DENY THE MOTION OF
RESPONDENTS STIIIZY INC AND STIIIZY IP LLC TO STAY THE REMEDIAL
ORDERS PENDING APPEAL**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined to deny a motion to stay the remedial orders pending appeal filed by respondents STIIIZY IP LLC f/k/a STIIIZY, LLC and STIIIZY, Inc. f/k/a Shryne Group Inc. (collectively, “STIIIZY”) in the above-captioned investigation.

FOR FURTHER INFORMATION CONTACT: B. Rashmi Borah, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-2518. 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 March 6, 2024, based on a complaint filed by complainant PAX Labs, Inc. (“PAX”). 89 FR 16025-26 (Mar. 6, 2024). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain oil vaporizing devices, components thereof, and products containing the same by reason of infringement of certain claims of U.S. Patent Nos. 11,369,756 (“the ’756 patent”); 11,766,527 (“the ’527 patent”); 11,369,757 (“the ’757 patent”); and 11,759,580 (“the ’580 patent”). *Id.* The complaint further alleges that a domestic industry exists. *Id.* The Commission’s notice of investigation named STIIIZY, in addition to ALD Group Limited; and ALD Hong Kong

Holdings (collectively, “ALD”) as respondents. *Id.* The Office of Unfair Import Investigations is not participating in the investigation.

On March 6, 2025, the presiding administrative law judge (“ALJ”) issued a final initial determination (“FID”) finding that no violation of section 337 had occurred with respect to any of the asserted claims. As relevant to the motion, the FID finds that: (1) the STIIIZY-1G REDESIGN(C), the STIIIZY-AIO-REDESIGN, and the STIIIZY-ORIG-1G-REDESIGN each infringe at least one asserted claim of the ’580 patent under the doctrine of equivalents; (2) the STIIIZY-LIIL, the STIIIZY-ORIG-1, and the STIIIZY-1(G)(C) each literally infringe at least one asserted claim of each Asserted Patent; (3) the STIIIZY-AIL literally infringes at least one asserted claim of the ’527 patent and the ’580 patent; (4) none of the asserted claims are invalid under 35 U.S.C. §§ 102, 103, or 112 ¶1 over two prior art references; (5) PAX satisfied the technical prong of the domestic industry requirement with respect to each Asserted Patent; and (6) PAX did not satisfy the economic prong of the domestic industry requirement with respect to any of the Asserted Patents.

On May 16, 2025, the Commission determined to review the FID’s findings that: (1) certain accused products do not infringe the ’580 patent; (2) certain redesigned products infringe the ’580 patent; and (3) Complainant has not satisfied its burden as to the economic prong of the domestic industry requirement. *See* Comm’n Not. at 2-3. As relevant to the motion, the Commission determined not to review the FID’s findings as to infringement of the ’756 patent, the ’527 patent, or the ’757 patent, or on invalidity as to any of the Asserted Patents, and accordingly adopted those findings. *Id.* On review, the Commission determined that “the FID errs by stating as a bright-line rule that ‘pre-issuance investments [are not] cognizable under subparagraphs (A) and (B) of section 337(a)(3).’” *Id.* at 3 (May 16, 2025). The Commission remanded the investigation and directed the ALJ to “consider whether Complainant’s alleged domestic industry investments were made with respect to the articles protected by the patent (*i.e.*, the products that the FID finds satisfy the technical prong of the domestic industry requirement), not limited by whether those investments were made post-patent issuance.” Remand Order at 4 (May 16, 2025).

On July 18, 2025, the ALJ issued a remand initial determination (“RID”), finding that Complainant has satisfied the economic prong of the domestic industry requirement under subsections 337(a)(3)(A) and (B).

On September 17, 2025, the Commission determined to review the RID’s finding that Complainant has satisfied the economic prong of the domestic industry requirement under subsections 337(a)(3)(A) and (B). 90 FR at 45411. On review, the Commission affirmed with minor modifications the RID’s finding that Complainant has satisfied the economic prong under subsections (A) and (B), including the RID’s subsidiary finding that Complainant was an exclusive licensee when it made its domestic industry investments. *Id.* at 45411-12.

On January 20, 2026, the Commission issued a final determination finding a violation of section 337 by STIIIZY and ALD with respect to all remaining asserted claims. 91 FR 2960-62.

As relevant to the current motion, the Commission affirmed the FID's finding that the STIIIZY redesigned products infringed claims 1, 6-8, and/or 10 of the '580 patent under the doctrine of equivalents, with supplemental reasoning to address the full scope of the function-way-result test. *Id.* at 2961. The Commission also determined to issue a limited exclusion order against STIIIZY and ALD and a cease and desist order against STIIIZY and set a 100 percent bond for the period of Presidential review. *Id.* at 2961-62.

On March 4, 2026, the Commission denied STIIIZY's petition for reconsideration, in which STIIIZY argued that the Commission's finding of infringement under the doctrine of equivalents "rests solely on an erroneous finding" regarding the triangular extension feature. Comm'n Not. at 2 (Mar. 4, 2026).

On March 9, 2026, STIIIZY filed the subject motion to stay the remedial orders pending appeal. On March 19, 2026, PAX filed an opposition to the motion. On March 23, 2026, STIIIZY filed a notice of appeal with the U.S. Court of Appeals for the Federal Circuit. The same day, STIIIZY also filed an emergency motion to stay the remedial orders and for an interim administrative stay with the Federal Circuit.

The Commission, having reviewed the record in this investigation, including the Commission's final determination and opinion, STIIIZY's motion, and PAX's response thereto, has determined to deny STIIIZY's motion to stay the remedial orders pending appeal. The Commission issues an order and opinion herewith setting forth its determination.

The Commission vote for this determination took place on April 3, 2026.

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.

A handwritten signature in black ink, appearing to read "Lisa R. Barton", enclosed in a thin black rectangular border.

Lisa R. Barton
Secretary to the Commission

Issued: April 3, 2026