

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 COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO CERTAIN
PATENT CLAIMS BASED ON WITHDRAWAL OF THE COMPLAINT**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“the Commission”) has determined not to review an initial determination (“ID”) (Order No. 11) issued by the presiding administrative law judge (“ALJ”) granting the complainants’ unopposed motion to partially terminate the investigation with respect to claims 4 and 21 of U.S. Patent No. 11,766,527 (“the ’527 patent”) based on the withdrawal of the complaint as to those claims.

FOR FURTHER INFORMATION CONTACT: Carl P. Bretscher, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-2382. 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 the present investigation on March 6, 2024, based on a complaint, as supplemented, filed by PAX Labs, Inc. of San Francisco, California (“Pax”), alleging that the respondents violated section 337 of Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”) by the importation into the United States, sale for importation, or sale in the United States after importation of certain oil vaporizing devices, components thereof, and products containing the same, that infringe one or more of the asserted claims of the ’527 patent and U.S. Patent Nos. 11,369,756; 11,369,757; 11,766,527; and 11,759,580. 89 FR 16025-026 (March 6, 2024). The complaint alleges a domestic industry exists. *Id.* The notice of investigation names the following respondents: STIIIZY IP LLC f/k/a STIIIZY, LLC of Los Angeles, California; ALD Group Ltd. Of Shenzhen, Guangdong Province, China; ALD (Hong Kong) Holdings Ltd. of Kowloon, Hong Kong; and STIIIZY Inc. d/b/a Shryne Group Inc. of Los Angeles, California (collectively, “Respondents”). The Office

of Unfair Import Investigations is not a party to this investigation. *Id.*

On July 3, 2024, Pax moved to partially terminate the investigation by withdrawing claims 4 and 21 of the '527 patent. Pax filed an amended motion on July 10, 2024, to include the required certification that the parties had no other agreements, oral or written, express or implied, concerning the subject matter of the investigation. Respondents do not oppose the motion.

On July 11, 2024, the presiding ALJ issued the subject ID (Order No. 11) granting Pax's unopposed motion to partially terminate the investigation by withdrawing claims 4 and 21 of the '527 patent. Order No. 11 at 1-2 (June 2, 2024). The subject ID finds that there are no agreements, written or oral, express or implied, between the parties concerning the subject matter of this investigation, or any "extraordinary circumstances" that would otherwise justify denying termination, in accordance with Commission Rule 210.21(a)(1), 19 CFR 210.21(a)(1).

No party filed a petition for review of the subject ID.

The Commission has determined not to review, and thereby adopts, the subject ID. Accordingly, this investigation is partially terminated with respect to claims 4 and 21 of the '527 patent.

The Commission vote for this determination took place on July 29, 2024.

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: July 30, 2024