

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN DISPOSABLE VAPORIZER
DEVICES**

Investigation No. 337-TA-1410

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION EXTENDING THE TARGET DATE**

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 the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 49) extending the target date for completion of the above-captioned investigation to December 22, 2025.

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 July 22, 2024, based on a complaint filed on behalf of RAI Strategic Holdings, Inc.; R.J. Reynolds Vapor Company; R.J. Reynolds Tobacco Company; and RAI Services Company (collectively, "Complainants"), all of Winston-Salem, North Carolina. 89 FR 59,158 (Jul. 22, 2024). The complaint, as supplemented, alleges 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, and the sale within the United States after importation of certain disposable vaporizer devices by reason of the infringement of certain claims of U.S. Patent No. 11,925,202 ("the 202 patent"). *Id.* at 59,159. The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute. The Commission's notice of investigation names thirty-five (35) respondents: Vapeonly Technology Co. Ltd. of Hong Kong; iMiracle (Shenzhen) Technology Co., Ltd. of Shenzhen, China; Nevera (HK) Ltd. of Hong Kong; Wonder Ladies Ltd. of British Virgin Islands; Sailing South Ltd. of British Virgin Islands; Marea Morada Ltd. of

British Virgin Islands; Social Brands, LLC of Dallas, Texas; Palma Terra Ltd. of British Virgin Islands; Heaven Gifts International Ltd. of Hong Kong; Shenzhen LC Technology Co., Ltd. of Shenzhen, China; LCF Labs, Inc. of Ontario, California; Flumgio Technology Ltd. of Hong Kong; Flawless Vape Shop Inc. of Anaheim, California; Flawless Vape Wholesale & Distribution Inc. of Anaheim, California; and VICA Trading Inc. d/b/a Vapesourcing of Tustin, California (collectively, “Defaulting Respondents”); Kimsun Technology (HuiZhou) Co., Ltd. (“Kimsun”) of Shenzhen, China; Bidi Vapor, LLC (“Bidi Vapor”) of Orlando, Florida; Breeze Smoke, LLC of West Bloomfield, Michigan; Dongguan (Shenzhen) Shikai Technology Co., Ltd. of Shenzhen, China; Guangdong Qisitech Co., Ltd. of Dongguan, China; Fewo Intelligent Manufacturing Ltd. of Dongguan, City, China; Guangdong Cellular Workshop Electronics Technology Co., Ltd. of Dongguan, City, China; Zhuhai Qisitech Co., Ltd. of Zhuhai, China; Shenzhen Han Technology Co., Ltd. of Shenzhen, China; Shenzhen IVPS Technology Co., Ltd. of Shenzhen, China; Maduro Distributors d/b/a The Loon of Minneapolis, Minnesota; Shenzhen Yanyang Technology Co., Ltd. of Shenzhen, China; Pastel Cartel, LLC of Austin, Texas; American Vape Company, LLC of Pflugerville, Texas; Affiliated Imports, LLC of Austin, Texas; Shenzhen Kangvape Technology Co., Ltd. of Shenzhen, China; Shenzhen Pingray Technology Co., Ltd. of Shenzhen, China; SV3, LLC d/b/a Mi-One Brands of Phoenix, Arizona; Price Point Distributors Inc. d/b/a Price Point NY of Farmingdale, New York; and TheSy, LLC d/b/a Element Vape of Alhambra, California. *Id.* at 59,159-160. The Office of Unfair Import Investigations is also named as a party. *Id.* at 59,160.

Respondents Kimsun and Bidi Vapor have been terminated from the investigation based on consent orders. Order No. 10 (Aug. 28, 2024), *unreviewed by* Comm’n Notice (Sept. 23, 2024); Order No. 26 (Nov. 5, 2024), *unreviewed by* Comm’n Notice (Dec. 5, 2024). The Defaulting Respondents have been found in default. Order No. 17 (Sept. 16, 2024), *unreviewed by* Comm’n Notice (Oct. 8, 2024).

Claims 3, 8, 10, 13, 17-27, and 29-30 of the ’202 patent have been terminated from the investigation. Order No. 44 (Apr. 7, 2025), *unreviewed by* Comm’n Notice (Apr. 30, 2025).

On July 16, 2025, the ALJ issued the subject ID (Order No. 49) extending the target date for completion of the above-captioned investigation from November 24, 2025, to December 22, 2025. The ID states that good cause exists for an extension because “the drafting of the final initial determination has been affected by supplemental post-hearing proceedings related to Complainants’ request to supplement the record with evidence related to sales and marketing domestic investments in labor and capital following the Federal Circuit’s decision in *Lashify, Inc. v. Int’l Trade Comm’n*, 130 F.4th 948 (Fed. Cir. 2025).” ID at 1. No petitions for review were filed.

The Commission has determined not to review the subject ID. The target date for completion of the above-captioned investigation has been extended to December 22, 2025. Accordingly, the final ID shall issue by August 22, 2025.

The Commission vote for this determination took place on August 7, 2025.

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 within a large, loopy oval flourish.

Lisa R. Barton
Secretary to the Commission

Issued: August 7, 2025