

**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 TO EXTEND  
THE TARGET DATE FOR COMPLETION OF THIS INVESTIGATION**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that in view of the shutdown of the Federal Government, the U.S. International Trade Commission has determined to extend the date for determining whether to review the final initial determination (“FID”) to January 9, 2026, and the target date for completion of the investigation to March 10, 2026.

**FOR FURTHER INFORMATION CONTACT:** Carl Bretscher, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, 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](mailto: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” or “Reynolds”), all of Winston-Salem, North Carolina. 89 FR 59,158-60 (Jul. 22, 2024). The complaint, as supplemented, alleges that the respondents violated section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, by importing into the United States, selling for importation, or selling in the United States after importation certain disposable vaporizer devices that infringe one or more of the asserted claims of U.S. Patent No. 11,925,202 (“the 202 patent”). *Id.* at 59,159. The complaint further alleges that a domestic industry exists in the United States.

The Commission’s notice of investigation names thirty-five (35) respondents, of which eighteen (18) respondents participated in this investigation. They are 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 (collectively, “Respondents”). *Id.* at 59, 159-160. The Office of Unfair Import Investigations (“OUII”) is also named as a party. *Id.* at 59, 160.

Fifteen (15) respondents were subsequently found in default: 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”). *See* Order No. 17 (Sept. 16, 2024), *unreviewed by* Comm’n Notice (Oct. 8, 2024).

Two respondents – Kimsun Technology (HuiZhou) Co., Ltd. of Shenzhen, China; and Bidi Vapor, LLC of Orlando, Florida – were 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).

On June 11, 2024, the same date it filed its complaint, Reynolds filed a motion for a temporary exclusion order (“TEO”). Respondents filed a joint memorandum in opposition to Reynolds’s motion for a TEO on August 12, 2024. The presiding ALJ held an evidentiary hearing on September 26 and 27, and October 8, 2024. On November 19, 2024, the ALJ issued an ID denying Reynolds’s motion for a TEO, which the Commission determined not to review. Order No. 28 (Nov. 19, 2024), *unreviewed by* Comm’n Notice (Dec. 18, 2024).

On May 1, 2025, the Commission partially terminated the investigation with respect to claims 3, 8, 10, 13, 17-27, and 29-30 of the ’202 patent due to voluntary withdrawal of the claims. Order No. 44 (Apr. 7, 2025), *unreviewed by* Comm’n Notice (May 1, 2025).

The presiding ALJ held an evidentiary hearing from April 7-11, 2025, with an additional day of testimony on domestic industry on June 11, 2025. FID at 4. By that time, Reynolds was asserting claims 1, 4, 9, 11-12, and 15 of the ’202 patent for purposes of infringement, and claims 1, 2, 4-5, 7, 9, and 14-16 for domestic industry. *Id.* at 5.

On August 29, 2025, the ALJ issued the present FID, which finds that Respondents violated section 337 by way of infringing claims 4 and 12 of the ’202 patent, and that neither claim is invalid as anticipated or obvious. *Id.* at 144, 152, 189-90. The FID finds that

Respondents also infringed claims 1, 11, and 15, but that those claims are invalid as anticipated. *Id.* The FID also finds that Reynolds satisfied both the technical and economic prongs of the domestic industry requirement. *Id.* at 98, 117, 121, 182.

On September 12, 2025, the presiding ALJ issued a Recommended Determination on Remedy, Bonding, and Public Interest (“RD”). The RD recommends that, in the event a violation is found, the Commission should issue a general exclusion order as to claims 4 and 12 of the ’202 patent. RD at 3, 26. Should the Commission determine not to issue a GEO, the RD recommends that the Commission issue a limited exclusion order covering infringing articles imported by or on behalf of each respondent found to have violated section 337. *Id.* at 30. The RD also recommends that the Commission issue cease and desist orders against certain respondents and set a bond of 136% of the entered value of infringing articles imported during the period of Presidential review. *Id.* at 3, 40, 44. Finally, the RD recommends finding that the public interest factors do not preclude issuance of a remedy. *Id.*

On September 15, 2025, the Commission issued a notice requesting submissions on public interest issues raised by the recommended relief, should the Commission find a violation. 90 Fed. Reg. 45056 (Sept. 18, 2025). The Commission issued a second notice on November 18, 2025, and extended the deadline for responses because the original deadline expired during the shutdown of the Federal Government. 90 Fed. Reg. 52700 (Nov. 21, 2025). On December 1, 2025, NJOY, LLC, Altria Group Distribution Company, and Altria Client Service LLC (collectively, “NJOY”) filed a public interest statement, stating they were not named as respondents and their products have been recognized as non-infringing, so should any GEO issue, it should include a carve-out for NJOY’s products.

On September 15, 2025, Respondents filed a petition for review of the FID’s findings. Reynolds and OUII filed their respective responses to Respondents’ petition for review on September 23, 2025. Neither Reynolds nor OUII filed their own petition for review.

In view of the shutdown of the Federal Government, the Commission has determined to extend the date for determining whether to review the FID to January 9, 2026, and to extend the target date for completion of the investigation to March 10, 2026.

The Commission vote for this determination took place on December 9, 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 thin black rectangular border.

Lisa R. Barton  
Secretary to the Commission

Issued: December 9, 2025