

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN VAPORIZER DEVICES,
CARTRIDGES USED THEREWITH, AND
COMPONENTS THEREOF (II)**

Investigation No. 337-TA-1460

**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 an initial determination (“ID”) (Order No. 33) of the presiding administrative law judge (“ALJ”) extending the target date for completion of the investigation to November 16, 2027.

FOR FURTHER INFORMATION CONTACT: Joelle P. Justus, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2593. 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, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on September 12, 2025, based on a complaint (the “Complaint”) filed by JUUL Labs, Inc. (“JLI”) of Washington, DC. 90 FR 44238 (Sept. 12, 2025). The Complaint alleged 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, and the sale within the United States after importation of certain vaporizer devices, cartridges used therewith, and components thereof by reason of the infringement of one or more of claims 1-8 and 10 of U.S. Patent No. 12,156,533 (“the ’533 patent”). *Id.* The Complaint further alleges that an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337. *Id.* The notice of investigation named as respondents NJOY, LLC and NJOY Holdings, Inc. of Scottsdale, AZ; and Altria Group, Inc., Altria Group Distribution Company, and Altria Client Services LLC of Richmond, VA (collectively, “NJOY”). *Id.* The Office of Unfair Import Investigations is not participating in the investigation. *Id.*

On March 25, 2026, the Commission terminated claims 7 and 8 of the '533 patent from the investigation based on JLI's withdrawal of allegations as to those claims. Order No. 22 (Mar. 3, 2026), *unreviewed by* Comm'n Notice (Mar. 25, 2026).

On April 14, 2026, the ALJ issued Order No. 31, granting a motion for summary determination and finding no violation of section 337. On May 29, 2026, the Commission determined to review the ID in its entirety, and on August 13, 2026, the Commission vacated Order No. 31 and remanded the investigation to the ALJ for further proceedings.

On August 19, 2026, the ALJ issued the subject ID (Order No. 33) extending the target date for completion of the investigation to November 16, 2027. The ID explains that additional time is necessary in order to reschedule the evidentiary hearing, resolve pre-hearing motions, and prepare the final initial determinations while attending to the ALJ's responsibilities in other investigations. No parties petitioned for review of the ID.

The Commission has determined not to review the subject ID. The target date for completion of this investigation is November 16, 2027. The ALJ's final initial determination is due no later than July 16, 2027.

The Commission vote for this determination took place on September 15, 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', with a stylized, cursive script.

Lisa R. Barton
Secretary to the Commission

Issued: September 15, 2026