

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-1469

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANTS' MOTION FOR PARTIAL
TERMINATION OF THE INVESTIGATION AS TO CERTAIN ASSERTED CLAIMS**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission ("Commission") has determined not to review an initial determination ("ID") (Order No. 30) of the presiding administrative law judge ("ALJ") granting complainants' motion to terminate certain asserted claims from the investigation.

FOR FURTHER INFORMATION CONTACT: Jonathan D. Link, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3103. 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: On December 23, 2025, the Commission instituted this investigation, based on a complaint filed by NJOY, LLC of Richmond, Virginia; Altria Group Distribution Company of Richmond, Virginia; and Altria Client Services LLC of Richmond, Virginia (collectively "NJOY"). 90 FR 60128 (Dec. 23, 2025). 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, or the sale within the United States after importation of certain vaporizer devices, cartridges used therewith, and components thereof by reason of infringement of claims 1-7 of U.S. Patent No. 12,115,303 ("the '303 patent") and claims 1-6 of U.S. Patent No. 12,194,227 ("the '227 patent"). *Id.* The complaint further alleges that a domestic industry exists or is in the process of being established. *Id.* The Commission's notice of investigation named as respondent JUUL Labs, Inc. of Washington, D.C. ("JLI"). *Id.* The Office of Unfair Import Investigations is not participating in

the investigation. *Id.*

On August 5, 2026, the Commission reviewed, and affirmed and supplemented, an initial determination (Order No. 22) granting in part JLI's motion, finding no infringement under NJOY's primary infringement theory due to issue preclusion. Order No. 22 (July 6, 2026), *unreviewed by Comm'n Notice* (Aug. 5, 2026).

On August 10, 2026, NJOY moved to terminate from the investigation asserted dependent claims 2-7 of the '303 patent and dependent claims 2-6 of the '227 patent by reason of withdrawal. The motion represents that JLI does not oppose this motion.

On August 12, 2026, the ALJ issued the subject ID (Order No. 30), terminating claims 2-7 of the '303 patent and claims 2-6 of the '227 patent from the investigation. No petition for review was filed.

The Commission has determined not to review the subject ID. Claims 2-7 of the '303 patent and claims 2-6 of the '227 patent are terminated from the investigation.

The Commission vote for this determination took place on September 9, 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 10, 2026