

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN ELECTRIC AIRCRAFT,
POWER SYSTEMS FOR ELECTRIC
AIRCRAFT, AND COMPONENTS
THEREOF**

Investigation No. 337-TA-1499

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANT'S MOTION TO AMEND THE
NOTICE OF INSTITUTION OF INVESTIGATION**

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. 12) granting Complainant Archer Aviation Inc.'s motion to amend the notice of institution of investigation ("NOI") to correct a typographical error.

FOR FURTHER INFORMATION CONTACT: Lisa A. Murray, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2781. 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: On April 14, 2026, the Commission instituted this investigation based on a complaint filed by Archer Aviation Inc. of San Jose, California. 91 FR 19200 (Apr. 14, 2026). The complaint, as supplemented, alleged violations of section 337 based on the importation into the United States, the sale for importation, or the sale within the United States after importation of certain electric aircraft, power systems for electric aircraft, and components thereof by reason of the infringement of certain claims of U.S. Patent No. 11,945,594; U.S. Patent No. 12,162,614; U.S. Patent No. 8,469,306; U.S. Patent No. 12,103,404; and U.S. Patent No. 12,473,087 ("the '087 patent"). The Commission's NOI named the following as respondents: Joby Aero, Inc. of Santa Cruz, California; and Joby Aviation, Inc. of Santa Cruz, California. The Office of Unfair Import Investigations is also participating in this investigation.

On September 4, 2026, Complainant Archer Aviation Inc. filed an unopposed motion pursuant to Commission Rule 210.14(b), 19 CFR 210.14(b), to amend the NOI to correct a typographical error with respect to the identification of one of the asserted patents. While the Complaint correctly identified the '087 patent asserted in this investigation as U.S. Patent No. 12,473,087, the NOI contains a typographical error identifying the '087 patent as U.S. Patent No. 12,472,087.

On September 8, 2026, the ALJ issued the subject ID (Order No. 12) granting Archer Aviation Inc.'s motion. The ID amends the NOI to read:

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on March 10, 2026, under section 337 of the Tariff Act of 1930, as amended, on behalf of Archer Aviation Inc. of San Jose, California. A supplement to the complaint was filed on March 19, 2026. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain electric aircraft, power systems for electric aircraft, and components thereof by reason of the infringement of certain claims of U.S. Patent No. 11,945,594 ("the '594 patent"); U.S. Patent No. 12,162,614 ("the '614 patent"); U.S. Patent No. 8,469,306 ("the '306 patent"); U.S. Patent No. 12,103,404 ("the '404 patent"); and U.S. Patent No. 12,473,087 ("the '087 patent"). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute.

Order No. 12 at 2 (Sept. 8, 2026). No petitions for review of the subject ID were filed.

The Commission has determined not to review the subject ID. The Commission vote for this determination took place on October 6, 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", enclosed within a rectangular box.

Lisa R. Barton
Secretary to the Commission

Issued: October 6, 2026