

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN PORTABLE POWER
STATIONS AND PACKAGING
THEREFOR**

**Investigation No. 337-TA-563
(Modification)**

**Notice of Commission Determination to Institute a Modification Proceeding; Modify a
Limited Exclusion Order; and Terminate the Modification Proceeding**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined to institute a modification proceeding and modify the limited exclusion order (“LEO”) that was issued in the above-captioned investigation. The modification proceeding is terminated.

FOR FURTHER INFORMATION CONTACT: Edward S. Jou, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3316. 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 November 9, 2006, the Commission issued an LEO in the above-captioned investigation based on a complaint filed by Roadmaster (USA) Corporation (“Complainant”) alleging 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 portable power stations and packaging therefor by reason of infringement of U.S. Design Patent No. D469,739 (“the D’739 patent”); U.S. Trademark Registration No. 2,594,538 (“the ’538 mark”); and U.S. Copyright Registration No. VA-1-261-495 (“the ’495 copyright”). 71 FR 66554 (Nov. 15, 2006). The LEO was directed to respondent Sinochem Ningbo, Ltd. of Ningbo, China. *Id.*

The LEO included a requirement that Complainant make annual filings with the Commission stating whether it continued to use the ’538 mark in commerce, but the Complainant has not made any such filings since 2007. In addition, the D’739 patent has expired and the ’538 mark has been canceled by the U.S. Patent and Trademark Office due to a failure to

file a declaration of continued use. *See* U.S. Trademark Registration No. 2,594,538, Cancelled/Expired (USPTO Trademark Status & Document Retrieval, Feb. 22, 2013).

On March 24, 2026, the Commission issued a notice requesting written submissions from the public, the parties to the investigation, and other interested parties, on whether the LEO should be modified or rescinded under 19 U.S.C. 1337(k) and 19 CFR 210.76, in whole or in part. 91 FR 14879-80 (Mar. 27, 2026). The Commission did not receive any submissions in response to this notice.

Based on the foregoing and the lack of any response to the Commission's notice, the Commission has determined to institute a modification proceeding pursuant to Commission Rule 210.76, 19 CFR 210.76. In consideration of the expiration of the D'739 patent, the cancellation of the '538 mark, and Complainant's failure to comply with the LEO's annual filing requirement to show continued use of the '538 mark, the Commission has determined that changed conditions of fact warrant modification of the LEO under 19 U.S.C. 1337(k). Accordingly, the Commission has determined to modify the LEO to rescind the exclusions based on infringement of the D'739 patent and the '538 mark. The modification proceeding is hereby terminated.

The Commission vote for this determination took place on July 31, 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 flourish at the end.

Lisa R. Barton
Secretary to the Commission

Issued: July 31, 2026