

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN PRE-STRETCHED
SYNTHETIC BRAIDING HAIR AND
PACKAGING THEREOF (II)**

Investigation No. 337-TA-1457

**NOTICE OF THE COMMISSION'S DETERMINATION TO REVIEW IN PART, AND,
ON REVIEW, TO AFFIRM IN PART AND TAKE NO POSITION IN PART ON A
FINAL INITIAL DETERMINATION FINDING NO VIOLATION OF SECTION 337;
TERMINATION OF THE INVESTIGATION**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission ("Commission") has determined to review in part, and on review, to affirm in part and take no position in part on a final initial determination ("Final ID") issued by the presiding administrative law judge ("ALJ") finding no violation of section 337. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Joelle 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 on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on August 7, 2025, based on a complaint filed by JBS Hair, Inc. ("Complainant") of Atlanta, Georgia. 90 FR 38178-79 (Aug. 7, 2025). The complaint alleges violations of section 337 based on the importation into the United States, the sale for importation, and the sale within the United States after importation of certain pre-stretched synthetic braiding hair and packaging thereof that infringe one or more of claims 1 and 9-11 of U.S. Patent No. 10,786,026 ("the '026 patent"); claims 1, 4-9, and 11 of U.S. Patent No. 10,980,301 ("the '301 patent"); claim 20 of U.S. Patent No. 10,945,478 ("the '478 patent"); and claims 11-13 of U.S. Patent No. 12,127,616 ("the '616 patent"). *Id.* at 38178. The Commission's notice of investigation named the following entities

as respondents: Sun Taiyang Co., Ltd. (d/b/a Outre), Hair Zone, Inc. (d/b/a Sensationnel) (“Hair Zone”), Beauty Essence, Inc. (d/b/a Supreme Hair US), SLI Production Corp. (d/b/a It’s a Wig!), Mane Concept Inc., and Beauty Plus Trading Co., Inc. (d/b/a Janet Collection) of Moonachie, New Jersey; Beauty Elements Corporation (d/b/a Bijouz) of Miami Gardens, Florida; Royal Imex, Inc. (d/b/a Zury Hollywood) of Santa Fe Springs, California; GS Imports, Inc. (d/b/a Golden State Imports, Inc.) of Paramount, California; Eve Hair, Inc. of Lakewood, California; Midway International, Inc. (d/b/a BOBBI BOSS) of Cerritos, California; Mayde Beauty Inc., Model Model Hair Fashion, Inc., New Jigu Trading Corp. (d/b/a Harlem 125), and Shake N Go Fashion, Inc. of Port Washington, New York; Hair Plus Trading Co., Inc. (d/b/a Femi Collection) of Suwanee, Georgia; Optimum Solution Group LLC (d/b/a Oh Yes Hair) of Duluth, Georgia; Chade Fashions, Inc. of Niles, Illinois; and Amekor Industries, Inc. (d/b/a Vivica A. Fox Hair Collection) of Conshohocken, Pennsylvania (collectively, “Respondents”). *Id.* at 38179. The complaint further alleges that a domestic industry exists. *Id.* The Office of Unfair Import Investigations (“OUII”) is a party to the investigation. *Id.*

The Commission previously determined not to review an initial determination granting Complainant’s motion to terminate from the investigation claims 9-11 of the ’026 patent, claims 4-7, 9, and 11 of the ’301 patent, and claims 12 and 13 of the ’616 patent based on withdrawal of the complaint as to those claims. *See* Order No. 11 (Dec. 11, 2025), *unreviewed by Comm’n* Notice (Jan. 6, 2026).

The ALJ issued the Final ID on June 5, 2026, finding no violation of section 337. The Final ID found, *inter alia*: (1) the asserted claims of the ’026, ’301, and ’616 patents infringed and practiced by the domestic industry products, but invalid as anticipated; (2) the asserted claim of the ’478 patent is practiced by the domestic industry products, but not infringed and invalid as anticipated; and (3) Complainant satisfied the economic prong of the domestic industry requirement as to all asserted patents.

The ALJ also issued a Recommended Determination on remedy and bonding (“RD”). The RD recommended that, if the Commission finds a violation, it should issue a limited exclusion order but not a general exclusion order as requested by Complainant. The RD further recommended the issuance of a cease and desist order only as to Respondent Hair Zone, and a bond of zero percent (*i.e.*, no bond) for all infringing products during the period of Presidential review. The Commission did not instruct the ALJ to make findings and recommendations concerning the public interest.

On June 17, 2026, Complainant filed a petition for review of the Final ID’s finding of no violation. On June 22, 2026, Respondents filed a contingent petition for review of certain of the Final ID’s findings. Also on June 22, 2026, OUII filed a petition for review of certain of the Final ID’s findings regarding the ’478 patent. The parties filed responses to the various petitions.

Having reviewed the record of the investigation, including the Final ID, the parties’ submissions to the ALJ, the petitions, and the responses thereto, the Commission has determined

to review the Final ID in part. As to the '026, '301, and '616 patents, the Commission has determined to review the Final ID's finding that the asserted claims are anticipated by the Asante Short Braid and Abuja Short Braid prior art references, and on review, take no position regarding anticipation by those references. As to the '478 patent, the Commission has determined to review the Final ID's analysis and findings regarding the construction of the claim term "pre-stretched," the technical prong of the domestic industry requirement, and invalidity. On review, as set forth in the accompanying Commission opinion, the Commission has determined to affirm the Final ID's claim construction with supplemental reasoning, affirm-in-part the Final ID's invalidity findings as to certain grounds with supplemental reasoning and take no position on the remaining grounds of invalidity, and take no position regarding the technical prong. Finally, the Commission has determined to review, and on review, take no position regarding the Final ID's economic prong findings. The Commission has determined not to review the remainder of the Final ID. The Commission adopts the Final ID's findings to the extent that they are not inconsistent with these findings and the Commission's opinion issued concurrently herewith. This investigation is terminated with a finding of no violation of section 337.

The Commission vote for this determination took place on August 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 thin black rectangular border.

Lisa R. Barton
Secretary to the Commission

Issued: August 6, 2026