No. ___

In the Supreme Court of the United States

SAMSUNG SDI CO., LTD., PETITIONER

v.

SHAWN PETERS

On Petition for a Writ of Certiorari to the Court of Appeals of Minnesota

PETITION FOR A WRIT OF CERTIORARI

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QUESTION PRESENTED

The Due Process Clause of the Fourteenth Amendment permits a state court to exercise specific personal jurisdiction over a nonresident defendant only when the plaintiff's claims "'arise out of or relate to the defendant's contacts' with the forum." *Ford Motor Co.* v. *Mont. Eighth Jud. Dist. Ct.*, 592 U.S. 351, 359 (2021).

The question presented is:

Whether, in a product-liability action, the plaintiff's claims relate to the defendant's forum contacts when the defendant manufacturer sells the product in the forum exclusively to corporate customers and prohibits sales of the product to consumers, and the plaintiff consumer acquires the product in the forum through the unauthorized, unilateral activity of a third-party retailer.

PARTIES TO THE PROCEEDING AND CORPORATE DISCLOSURE STATEMENT

Petitioner is Samsung SDI Co., Ltd. (KRX: 006400, 006405). Petitioner has no parent corporation. One company, Samsung Electronics Co., Ltd. (KRX: 005930, 005935), owns 10% or more of petitioner's stock.

Respondent is Shawn Peters.

Infinite Vapors; Uptown Vapors, LLC; and Does 1–100 were defendants in the state trial court but did not participate in the state appellate courts.

RELATED PROCEEDINGS

Minnesota District Court (Hennepin County):

Shawn Peters v. *Samsung SDI Co., Ltd., et al.*, No. 27-cv-23-4077 (Jan. 2, 2025)

Minnesota Court of Appeals:

Shawn Peters v. *Samsung SDI Co., Ltd., et al.*, No. A25-0195 (Oct. 13, 2025)

Minnesota Supreme Court:

Shawn Peters v. *Samsung SDI Co., Ltd., et al.*, No. A25-0195 (Dec. 31, 2025)

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Samsung SDI Co., Ltd., respectfully petitions for a writ of certiorari to review the judgment of the Minnesota Court of Appeals in this case.

OPINIONS BELOW

The opinion of the Minnesota Court of Appeals (App., *infra*, 1a-21a) is unreported. The order of the Minnesota District Court (App., *infra*, 24a-40a) is unreported.

JURISDICTION

The Minnesota Court of Appeals issued its opinion on October 13, 2025. App., *infra*, 1a-21a. The Minnesota Supreme Court denied review of that opinion on December 31, 2025. App., *infra*, 41a-42a. The Minnesota Court of Appeals entered final judgment on December 31, 2025. App., *infra*, 22a-23a. On March 25, 2026, Justice Kavanaugh extended the time within which to petition for certiorari to and including April 30, 2026.

The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a). See Cox *Broad. Corp.* v. *Cohn*, 420 U.S. 469, 485 (1975); cf. *Ford Motor Co.* v. *Mont. Eighth Jud. Dist. Ct.*, 592 U.S. 351, 357-358 (2021); *Bristol-Myers Squibb Co.* v. *Superior Ct. of Cal.*, 582 U.S. 255, 260-261 (2017).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The Fourteenth Amendment to the United States Constitution provides in relevant part:

> [N]or shall any State deprive any person of life, liberty, or property, without due process of law.

Section 543.19 of the Minnesota Statutes provides in relevant part:

> [A] court of this state with jurisdiction of the subject matter may exercise personal jurisdiction over any foreign corporation . . . in the same manner as if it were a domestic corporation.

INTRODUCTION

Under the Due Process Clause of the Fourteenth Amendment, a state court may not exercise specific jurisdiction over a nonresident defendant unless the plaintiff's claims "arise out of or relate to" the defendant's contacts within the forum State. *Ford Motor Co.* v. *Mont. Eighth Jud. Dist. Ct.*, 592 U.S. 351, 359 (2021).

In *Ford*, the Court explained that "[t]he first half" of the arise-out-of-or-relate-to standard "asks about causation; but the back half, after the 'or,' contemplates that some relationships will support jurisdiction without a causal showing." 592 U.S. at 362. The Court warned, however: "That does not mean anything goes. In the sphere of specific jurisdiction, the phrase 'relate to'

incorporates real limits, as it must to adequately protect defendants foreign to a forum." *Ibid.*

The Court did not specify what those "real limits" were. See *Ford*, 592 U.S. at 374 (Alito, J., concurring in the judgment); *id.* at 376-377 (Gorsuch, J., concurring in the judgment). As a result, in the wake of *Ford*, lower courts have struggled to ascertain when there is a sufficiently "strong 'relationship among the defendant, the forum, and the litigation'" to support specific jurisdiction. *Id.* at 365 (quoting *Helicopteros Nacionales de Colombia, S.A.* v. *Hall*, 466 U.S. 408, 414 (1984)). This confusion has created disarray in the law and yielded disparate outcomes in cases with materially indistinguishable facts.

This uncertainty presents unique challenges to foreign corporations participating in the U.S. economy. Foreign corporations often intentionally structure their affairs in the United States "to lessen or avoid exposure to a given State's courts," *Ford*, 592 U.S. at 360, as is appropriate under *World-Wide Volkswagen Corp.* v. *Woodson*, 444 U.S. 286, 297 (1980). A foreign manufacturer may, for example, limit its commercial activity in a State so that its products are sold and marketed only to corporate customers within the forum, as opposed to individual consumers. By structuring its business in this way, the foreign manufacturer can better control who can—and who cannot—acquire its products in the forum State. The foreign manufacturer can thus better predict the circumstances under which it may be haled into a foreign State's courts to defend lawsuits related to its activities there.

When courts exercise specific jurisdiction over foreign corporations despite their efforts to limit

exposure to suit in a given State's courts, they make jurisdiction unpredictable and disincentivize participation in the U.S. economy. Indeed, under the expansive view of relatedness that has been adopted by some lower courts since *Ford*, a foreign corporation may be subject to specific jurisdiction in a given State's courts based on the "mere likelihood that a product will find its way into the forum State" through the unilateral activity of third parties—even when the defendant has structured its "conduct and connection with the forum State" such that it should not "reasonably anticipate being haled into court there." *World-Wide Volkswagen*, 444 U.S. at 297. This "anything goes" view of relatedness runs afoul of both *Ford* and earlier decisions of this Court. 592 U.S. at 362

This petition presents the paradigmatic case. Petitioner is a South Korean corporation that manufactures and sells lithium-ion battery cells. One such type of cell is the 18650 cell, a cylindrical battery cell that is integrated with other like cells as a component part of sealed battery packs.[1] Those sealed battery packs, in turn, serve as the power source for various types of rechargeable electronics, from power tools to laptops to electric vehicles. Petitioner sells its 18650 cells within the United States exclusively to sophisticated corporate customers for installation within pre-authorized products. Petitioner's 18650 cells are not designed for standalone use and (like 18650 cells manufactured by other companies) pose a well-documented risk of harm to consumers if used outside the protective confines of a

[1] The model number "18650" is a standardized designation, used by both petitioner and other manufacturers, that refers to the battery cell's dimensions: it is 18 millimeters in diameter and 65 millimeters in length. App., *infra*, 45a.

sealed battery pack. For this reason, petitioner does not sell, distribute, or market its 18650 cells for use on an individual basis, and does not conduct business with any company that it knows or has reason to believe intends to resell or redistribute petitioner's 18650 cells for unknown or unauthorized applications, including but not limited to sale to consumers at retail.

Respondent is a Minnesota consumer. He alleges that he was injured by an 18650 lithium-ion battery cell manufactured by petitioner that he purchased from vape retailers in Minnesota. He filed suit in Minnesota against the vape retailers and petitioner.

The trial court held that it had specific personal jurisdiction over petitioner. The Minnesota Court of Appeals affirmed. The court recognized that petitioner limited its contacts in Minnesota to the sale of fully assembled, sealed battery packs to three sophisticated manufacturers in Minnesota who installed the battery packs as component parts of power tools, industrial floor cleaners, and golf carts. It also recognized that petitioner did not sell or market battery packs to individual consumers. Nevertheless, the court held that petitioner was subject to specific personal jurisdiction in Minnesota because petitioner purportedly (1) shipped millions of 18650 cells to these in-state manufacturers and (2) knew that individual 18650 battery cells were being sold by vape retailers in the State for use in e-cigarettes.

That decision warrants review in this Court. *First*, the decision implicates a well-recognized conflict over how courts should analyze assertions of specific jurisdiction over foreign corporations who affirmatively structure their forum activities to prevent individual consumers from acquiring unauthorized versions of their products.

Indeed—the very facts of this case continue to "divide[] able and fair-minded jurists" across the Nation. *Ethridge* v. *Samsung SDI Co., Ltd.*, 163 F.4th 136, 138 n.* (5th Cir. 2025), petition for cert. pending, No. 25-1106 (filed Mar. 16, 2026). *Second*, the decision is erroneous. It contravenes well-established principles that govern personal jurisdiction. *Third*, the decision is important. It expands the circumstances under which courts can hear claims against foreign corporations, increases incentives to forum shop, and threatens to destabilize foreign commerce. *Finally*, this case presents an ideal vehicle to resolve the question presented.

The petition for a writ of certiorari should be granted.

STATEMENT

A. Legal Background

The Due Process Clause of the Fourteenth Amendment limits the power of state courts to exercise personal jurisdiction over nonresident defendants. See, *e.g.*, *Goodyear Dunlop Tires Operations, S.A.* v. *Brown*, 564 U.S. 915, 923 (2011). For a state court to exercise personal jurisdiction over a nonresident defendant, the nonresident defendant must have "minimum contacts" with the forum State such that the exercise of jurisdiction does not offend "'traditional notions of fair play and substantial justice.'" *International Shoe Co.* v. *Washington*, 326 U.S. 310, 316 (1945).

The requirement of due process ensures "not only fairness, but also the 'orderly administration of the laws.'" *Fuld* v. *Palestine Liberation Org.*, 606 U.S. 1, 14 (2025). It assures defendants that they will be "subject only to lawful power" and it prevents States from "reach[ing] out

beyond the limits imposed on them by their status as coequal sovereigns in a federal system." *Ibid.*

This Court recognizes two kinds of personal jurisdiction: general and specific. "A state court may exercise general jurisdiction only when a defendant is essentially at home in the State." *Ford*, 592 U.S. at 358 (internal quotation marks omitted). This "all-purpose" jurisdiction extends to "any and all claims" brought against a defendant; those claims "need not relate to the forum State or the defendant's activity there." *Ibid.*

Specific jurisdiction is narrower. This "case-linked" form of personal jurisdiction exists only when there is a "strong" relationship among the defendant, the forum, and the underlying controversy. *Ford*, 592 U.S. at 358, 365. To establish specific jurisdiction, the plaintiff must show that (1) the defendant has "purposefully avail[ed] itself of the privilege of conducting activities within the forum State" and (2) the suit "arise[s] out of or relate[s] to" those in-forum activities. *Id.* at 359-360. If the plaintiff makes both showings, the burden shifts to the defendant to demonstrate that exercising jurisdiction would be unreasonable under the circumstances. See *Burger King Corp.* v. *Rudzewicz*, 471 U.S. 462, 476-478 (1985).

In *Ford*, 592 U.S. at 361-362, the Court explained that the arise-out-of-or-relate-to requirement of due process "serves to narrow the class of claims over which a state court may exercise specific jurisdiction." The requirement gives defendants "'fair warning'" that "'a particular activity may subject it to the jurisdiction of a foreign sovereign.'" *Id.* at 360 (brackets omitted). Defendants can thus "'structure [their] primary conduct' to lessen or avoid exposure to a given State's courts." *Ibid.*

The "first half" of the arise-out-of-or-relate-to standard "asks about causation"—that is, whether "the plaintiff's claim came about *because of* the defendant's in-state conduct." *Ford*, 592 U.S. at 362 (emphasis added). "[T]he back half" of the standard ("after the 'or'"), in contrast, "contemplates that some relationships will support jurisdiction without a causal showing." *Ibid.* A state court may, for instance, exercise specific personal jurisdiction over a foreign defendant when that defendant "serves a market for a product in the forum State and the [marketed] product malfunctions there"—even if the defective product was "first s[old], manufacture[d], and design[ed]" outside the forum State. *Id.* at 362-363.

The phrase *relate to*, however, "does not mean anything goes." *Ford*, 592 U.S. at 362. Instead, the phrase "incorporates real limits." *Ibid.* Those limits help "adequately protect" defendants in unfamiliar jurisdictions and help keep "'[c]ase-linked' jurisdiction . . . case-linked." *Id.* at 362 & n.3.

The Court in *Ford*, however, did not say what those "real limits" were or might be. 592 U.S. at 362. And three Justices—in two separate writings—warned that, without further guidance on what the "potentially boundless" phrase *relate to* means, the law on specific jurisdiction might become confused. *Id.* at 374-375 (Alito, J., concurring in the judgment) ("[W]ithout any indication what those limits might be, I doubt that the lower courts will find that observation terribly helpful."); *see id.* at 376, 378, 384 (Gorsuch, J., concurring in the judgment) ("The majority promises that its new test 'does not mean anything goes,' but that hardly tells us what does. . . . [T]he majority's new test risk[s] adding new lawyers of confusion to our personal jurisdiction jurisprudence.").

Those warnings proved prescient. After *Ford*, a "veritable cottage industry of personal jurisdiction litigation" arose from cases—like this one—stemming from "exploding batteries manufactured by foreign companies after use in e-cigarettes." *Ethridge*, 163 F.4th at 138 n*. Both federal and state courts "have struggled to apply *Ford*'s relatedness test in this context." *Ibid.* And persistent division plagues the lower courts. See *ibid.*

B. Facts And Procedural Background

1. Petitioner is a South Korean corporation. It maintains its headquarters and its principal place of business in South Korea. App., *infra*, 3a.

Petitioner designs and manufactures 18650 lithium-ion battery cells. App., *infra*, 3a, 45a. It sells those 18650 cells, or sealed battery packs containing those cells, exclusively to sophisticated corporate clients. Those clients manufacture (or are in the direct supply chain for the manufacture of) authorized products—in this case, garden tools, industrial floor cleaners, and golf carts. *Id.* at 5a, 45a. Petitioner does not design, sell, or authorize its 18650 cells for use on a standalone basis (*e.g.*, as one might use a household double-A alkaline battery cell to power a television remote), such as in e-cigarette devices. *Id.* at 45a-46a, 48a.

In line with this business model, petitioner limits its contacts with Minnesota to the sale of fully assembled, sealed battery packs to three reputable manufacturers based in Minnesota—the Toro Company (Toro), Tennant Company (Tennant), and Polaris Inc. (Polaris). App., *infra*, 5a, 46a. Those companies, in turn, incorporate the battery packs as component parts of their products. In total, petitioner fulfilled nine orders to those clients in Minnesota between 2017 and the present. *Id.* at 46a.

Petitioner does not authorize Toro, Tennant, or Polaris to distribute, resell, or market its battery packs (or the lithium-ion battery cells within) except as integrated component parts in those companies' products. In fact, Petitioner does not distribute, market, or sell its battery cells on an individual basis for individual use to *anyone* in Minnesota (or the United States for that matter). App., *infra*, 46a-47a.

Petitioner maintains no other contacts within Minnesota. It does not have employees, officers, agents, directors, or representatives in Minnesota; is not registered to do business in Minnesota; does not have a registered agent to receive service of process in Minnesota; does not have an interest in, use, or possess any real property in Minnesota; does not maintain a bank account in Minnesota; has never paid or incurred a tax obligation in Minnesota; has never conducted any business with any retail store in Minnesota—including any vape store; and has never promoted or sold battery cells to consumers in Minnesota—let alone encouraged consumers to use its battery cells on a standalone basis to power e-cigarette devices. App., *infra*, 44a-46a.

2. Respondent sued petitioner, Infinite Vapors, and Uptown Vapors, LLC, in Minnesota state court.[2] App. *infra*, 26a. He seeks to recover for injuries that he suffered when an e-cigarette device ignited in his pocket. *Id.* at 2a. Respondent purchased the e-cigarette device along with an 18650 lithium-ion battery cell from a vape store in Minnesota. *Ibid.*

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[2] Respondent also sued Samsung SDI America, Inc.—petitioner's American entity—and Does 1-100. The parties later stipulated to the dismissal with prejudice of all claims against Samsung SDI America. App., *infra*, 4a n.3, 27a.

Petitioner moved to dismiss the complaint for lack of personal jurisdiction. It argued, in relevant part, that it was not subject to specific personal jurisdiction in Minnesota with respect to respondent's claims because respondent's claims did not arise from or relate to any forum activities of petitioner, and more specifically because petitioner had structured its business in the State to prevent its battery cells from being purchased or used by consumers, including in e-cigarette devices. App., *infra*, 2a, 30a-38a.

The trial court denied the motion. App., *infra*, 24a-40a. It held that petitioner's contacts with Minnesota were sufficiently related to respondent's claims to support specific jurisdiction. *Id.* at 35a-36a. It found that petitioner sold nearly three million of its 18650 batteries to three Minnesota manufacturers—most of which were sold in the State after petitioner had notice that its battery cells were being used in e-cigarettes. *Id.* at 36a. "Regardless of the intended use of the batteries and whether the batteries were sold in sealed packs to sophisticated companies," the court reasoned, "the battery [at issue] was allegedly sold by a Minnesota retailer to [respondent], a Minnesota resident, where he was allegedly injured by it." *Id.* at 37a-38a. Petitioner thus, in the trial court's view, "purposefully availed itself of the benefits and responsibilities of doing business in Minnesota." *Id.* at 38a. Accordingly, Minnesota courts could assert specific jurisdiction over petitioner. *Ibid.*

3. The Minnesota Court of Appeals affirmed. App., *infra*, 1a-21a. It held, in relevant part, that the relationship between petitioner's contacts with Minnesota and respondent's claims satisfied *Ford*. *Id.* at 15a-19a. It recognized that, "unlike Ford," petitioner "did not

advertise or sell its allegedly defective product to Minnesota consumers." *Id.* at 17a. The court nevertheless held that petitioner was subject to specific personal jurisdiction in Minnesota because (1) petitioner purportedly shipped millions of battery packs to Minnesota manufacturers, (2) petitioner knew that its battery cells were sold online and at vape stores in the United States for use in e-cigarettes, and (3) a boilerplate purchase order form prepared by one of petitioner's corporate customers said that "'goods and materials'" sold by the supplier to the buyer "'may be resold, either directly or indirectly, for personal, family, or household use.'" *Id.* at 17a. In its analysis, the court noted that it "align[ed]" itself with decisions from the Fifth and Sixth Circuits and "reject[ed] . . . contrary analysis" from the Seventh and Ninth Circuits. *Id.* at 17a-18a & n.11.

4. The Minnesota Supreme Court denied petitioner's petition for review. App., *infra*, 41a-42a.

REASONS FOR GRANTING THE PETITION

A. The Decision Below Deepens A Well-Recognized Split Among Federal Courts Of Appeals And State Courts

The decision below exacerbates a well-recognized conflict over whether a court may exercise specific personal jurisdiction over a product-liability claim against a nonresident defendant when the plaintiff alleges that it acquired the allegedly defective product through unauthorized distribution channels made possible only by the unilateral activity of third parties and not by any forum contacts of the defendant.

1. The disarray among lower courts traces to *Ford Motor Co.* v. *Montana Eighth Judicial District Court*, 592 U.S. 351 (2021). In that case, two individuals were

injured while driving Ford vehicles in their home states of Montana and Minnesota. See *Ford*, 592 U.S. at 356. The plaintiffs sued Ford, the car manufacturer, in their respective home states. Ford moved to dismiss for lack of personal jurisdiction, arguing that neither lawsuit *related to* its forum contacts because it did not design, manufacture, or sell the vehicles at issue in those states. *Id.* at 356-357. Instead, "[o]nly later resales and relocations by consumers had brought the vehicles to Montana and Minnesota." *Id.* at 357.

The Court rejected Ford's arguments. It explained that specific jurisdiction is "founded" on "an idea of reciprocity between a defendant and a State: When (but only when) a company 'exercises the privilege of conducting activities within a state'—thus 'enjoying the benefits and protection of its laws'—the State may hold the company to account for related misconduct." *Ford*, 592 U.S. at 360 (brackets omitted). This bedrock principle provides foreign defendants with "'fair warning'—knowledge that 'a particular activity may subject it to the jurisdiction of a foreign sovereign.'" *Ibid.* (brackets omitted). A foreign defendant "can thus 'structure its primary conduct' to lessen or avoid exposure to a given State's courts." *Ibid.* (brackets omitted).

With that framework in mind, the Court considered "the business that [Ford] regularly conduct[ed] in Montana and Minnesota." *Ford*, 592 U.S. at 364. It noted that "[b]y every means imaginable—among them, billboards, TV and radio spots, print ads, and direct mail—Ford urge[d] Montanans and Minnesotans to buy its vehicles"—including the models involved in the accidents. *Id.* at 365. Through this "veritable truckload of contacts," the Court found that Ford had "encourage[d]

Montanans and Minnesotans to become lifelong Ford drivers." *Id.* at 365, 371. Indeed, Ford's contacts with Montana and Minnesota "might turn any resident" of those two states "into a Ford owner." *Id.* at 367.

The Court therefore concluded that Ford had "systematically served a market in Montana and Minnesota for the very vehicles that the plaintiffs allege[d] malfunctioned and injured them in those States." *Ford*, 592 U.S. at 365. This systematic activity, in turn, "create[d] reciprocal obligations" for Ford—including the obligation that Ford ensure that the "car models [it] so extensively market[ed] in Montana and Minnesota be safe for their citizens to use." *Id.* at 368. Accordingly, Ford's contacts in Montana and Minnesota were "related enough" to the plaintiffs' lawsuits to support specific jurisdiction. *Id.* at 371.

The Court did "not address" a scenario where "Ford marketed the models" at issue "in only a different State or region." *Ford*, 592 U.S. at 365. It also did not articulate the "real limits" that the *relate to* requirement "incorporates" to protect foreign defendants engaging in business in foreign jurisdictions. *Id.* at 362.

2. In the wake of *Ford*, much personal jurisdiction litigation has arisen from the same material facts. See *Ethridge* v. *Samsung SDI Co., Ltd.*, 163 F.4th 136, 138 n.* (5th Cir. 2025), petition for cert. pending, No. 25-1106 (filed Mar. 16, 2026). A foreign manufacturer—such as petitioner—sells 18650 lithium-ion battery cells as component parts only to sophisticated corporate clients in a particular State. It does not design, manufacture, distribute, advertise, or sell its batteries for sale to or use by consumers for any purpose, including as a standalone power source for e-cigarette devices. Yet, somehow, an

individual consumer acquires an individual 18650 cell and uses it in an e-cigarette device. When the device explodes, the individual sues the foreign manufacturer.

There is a widely recognized conflict among federal and state courts over how to "apply *Ford*'s relatedness test in this context." *Ethridge*, 163 F.4th at 138 n.*; see App., *infra*, 17a-18a; *B.D. ex rel. Myers* v. *Samsung SDI Co., Ltd.*, 143 F.4th 757, 766-767 (7th Cir. 2025); *Ethridge* v. *Samsung SDI Co., Ltd.*, 137 F.4th 309, 323 & n.1 (5th Cir. 2025) (Jones, J., dissenting); *Yamashita* v. *LG Chem Ltd.*, 62 F.4th 496, 506 n.1 (9th Cir. 2023); *LG Chem Am., Inc.* v. *Morgan*, 670 S.W.3d 341, 350 n.5 (Tex. 2023); *Dilworth* v. *LG Chem, Ltd.*, 355 So. 3d 201, 209 n.6 (Miss. 2022); *LG Chem, Ltd.* v. *Superior Ct. of San Diego Cnty.*, 295 Cal. Rptr. 3d 661, 370-371 & n.10 (Ct. App. 2022).

a. One view—adopted in three federal courts of appeals and two state appellate courts—holds that a court may *not* exercise specific personal jurisdiction over a product-liability claim against a nonresident defendant in these circumstances—namely, when the resident plaintiff's injury stems from a product that he or she acquired through the unilateral activity of third parties, and no forum resident could have acquired the product through the defendant's authorized distribution channels. This view emphasizes that exercising specific jurisdiction would contradict *World-Wide Volkswagen* by vitiating the ability of nonresident defendants to structure their forum activities to lessen their exposure to suit in the forum.

i. The Seventh Circuit's opinion in *B.D. ex rel. Myers* v. *Samsung SDI Co., Ltd.*, 143 F.4th 757, captures this view. In that case, a plaintiff injured in Indiana sued Samsung SDI Co., Ltd. (petitioner here), for injuries arising from an exploding 18650 battery that he acquired

from an e-cigarette retailer through an unauthorized transaction. See *id.* at 762. As in this case, petitioner sold its battery cells only to sophisticated corporate customers in the forum state (Indiana). See *id.* at 763. And petitioner "t[ook] steps to ensure its customers use 18650 batteries only for approved purposes"—including requiring would-be customers to submit "purchase application[s]" that petitioner would deny if the would-be customer disclosed any "ties to the e-cigarette industry." *Ibid.*

The Seventh Circuit held that the "disconnect" between petitioner's "purposeful contacts with the state through the sale of 18650 batteries" and the plaintiff's "injury—the consequence of an unauthorized, individual-battery purchase—precludes the exercise of personal jurisdiction." *Myers*, 143 F.4th at 772. It explained that petitioner had not "exercise[d] the privilege of conducting the type of business that led to [the plaintiff's] injury and subsequent lawsuit." *Id.* at 771. Instead, it "structured its activities to ensure only encased 18650 batteries reached consumers in Indiana." *Ibid.* It thus had no notice that it "would have to answer for injuries occasioned by consumers obtaining individual batteries," and had no "reciprocal obligation to appear in [Indiana] courts to defend against" allegations relating to the sale of individual batteries. *Id.* at 771-772.

The court distinguished *Ford*. 143 F.4th at 773-774. It noted that *Ford* "left for another day a scenario where 'Ford marketed the models' involved in each plaintiff's accident 'in only a different State or region.'" *Id.* at 773. The case before it, the court said, "more closely resemble[d] that open question than it d[id] the question resolved in *Ford*." *Ibid.* It thus "doubt[ed]" whether this Court would have allowed specific jurisdiction in *Ford* had

an individual been injured by a Ford Explorer when the company had sold Explorers to only police departments. See *id.* at 773-774. In that situation, the court reasoned, the "company did not intend for the plaintiff to" acquire the allegedly defective product at all. *Id.* at 774.

ii. The Fifth Circuit initially reached the opposite conclusion on materially identical facts. *See Ethridge*, 137 F.4th at 315 ("*Ford* supports a finding that [the plaintiff's] personal injury suit is related to [petitioner's] contacts with Texas"). But see *id.* at 324 (Jones, J., dissenting) ("In this case, there is no link between [petitioner]'s sales of goods to manufacturers and the plaintiff's injuries, which arose from a direct-to-consumer purchase and involved distribution channels that [petitioner] did not participate in and never authorized.").

After the Seventh Circuit issued its decision in *Myers*, however, the Fifth Circuit reversed course. See *Ethridge*, 163 F.4th at 137, 139. On panel rehearing, it withdrew its prior decision and issued a new opinion—this time agreeing with the Seventh Circuit. See *id.* at 137. The court explained that "personal jurisdiction doctrine has long considered whether a defendant has 'structured its primary conduct' to lessen or avoid exposure to a given State's courts." *Id.* at 138 (brackets omitted). And Samsung SDI Co., Ltd. (petitioner here), did just that: it went to "'great lengths'" to "prevent consumers like [the plaintiff] from obtaining its batteries" in the forum State—including vetting customers for ties to the e-cigarette industry and including warnings on its product that counseled against consumer usage. *Id.* at 139. Those measures, the court held, were "enough" to stave off specific jurisdiction. *Ibid.*

On March 16, 2026, counsel for plaintiff in *Ethridge* filed a petition for a writ of certiorari in this Court. See Petition for Writ of Certiorari, *Ethridge* v. *Samsung SDI Co., Ltd.*, No. 25-1106 (filed Mar. 16, 2026).[3]

iii. The Ninth Circuit concurs. In *Yamashita*, 62 F.4th 496, which involved a different manufacturer's 18650 batteries but similar injuries, the court explained that "[t]he logic of *Ford* . . . gives little reason to think that the relatedness prong would have been satisfied if, for example, Ford had sold Crown Victorias only to police departments in Minnesota, had not marketed them to consumers, and had not serviced them at all." *Id.* at 507-508. Accordingly, the court held that product-liability claims arising from "purchases of stand-alone batteries by Hawaii consumers" do not sufficiently relate to a foreign manufacturer's sale of "18650 batteries to manufacturers for incorporation in consumer products sold in [the forum State]" to support specific jurisdiction. *Id.* at 508.

iv. The Nevada Supreme Court is in accord. In *Franceschi* v. *LG Chem, Ltd.*, 580 P.3d 1279, 1284-1285 (2025), that court applied the "persuasive" approach to specific jurisdiction adopted by the Seventh Circuit in *Myers* to "a similar set of facts." It explained that a "mismatch between a defendant's manipulation of a stream of commerce and the circumstances attending the injuries alleged in the underlying lawsuit" precludes an exercise of specific jurisdiction. *Id.* at 1284.

v. A state appellate court in California—the Nation's largest economy—has reached a similar conclusion. In *LG*

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[3] Petitioner is simultaneously filing a response brief in *Ethridge* acquiescing in a grant of certiorari in that case and urging that it be consolidated with this case. See Brief for Respondent, *Ethridge* v. *Samsung SDI Co., Ltd.*, No. 25-1106 (filed Apr. 3, 2026).

Chem Ltd., 295 Cal. Rptr. 3d at 682, *rev. denied*, No. S276160 (Cal. Oct. 12, 2022), the California Court of Appeal, Fourth District, held that a consumer-plaintiff failed to show a sufficient relationship between a foreign manufacturer's "sales of 18650 batteries to three California companies, for use as industrial component parts in electric vehicles, and his injuries from a standalone 18650 battery purchased at a vape shop" to support specific personal jurisdiction. A contrary result, the court warned, would render a foreign manufacturer subject to specific personal jurisdiction "in any jurisdiction that is part of the product's distribution chain." *Id.* at 677. That outcome, the court held, would improperly "lower the bar on the relatedness test" set forth in *Ford*, "turning it into an 'anything goes' approach to specific jurisdiction." *Ibid.*

b. The Sixth Circuit and two state courts of last resort see things differently. Under their view, a court *may* exercise specific personal jurisdiction over a product-liability claim against a foreign defendant even though the defendant structured its in-state activities to prevent individual consumers from acquiring an unauthorized version of its product. Courts adopting this view emphasize the fact that a forum-state resident has been injured by the same type of product that the defendant sold in the forum State, regardless of whether the resident acquired the product through third-party distribution channels.

i. The Sixth Circuit's decision in *Sullivan* v. *LG Chem, Ltd.*, 79 F.4th 651 (2023), represents this view. In that case, the foreign manufacturer argued—as petitioner did below—that none of its contacts in Michigan involved "serving a consumer market for standalone 18650

batteries." *Id.* at 672. Instead, any "connections" between the forum State and the plaintiff's product-liability claims were "formed entirely" by plaintiff and third parties. *Ibid.*

The Sixth Circuit disagreed. It held that the foreign manufacturer could be subject to specific jurisdiction in Michigan because (1) it had conducted business with companies in the State regarding its 18650 batteries, (2) it shipped its 18650 batteries into the State, and (3) the plaintiff suffered injury from one of those batteries in the forum State. See *Sullivan*, 79 F.4th at 673. The court dismissed the foreign manufacturer's consumer-market approach to specific jurisdiction as "too narrow a framing" of *Ford*. *Id.* at 672. And it asserted: The foreign manufacturer "had fair notice that it could be sued in Michigan for the Michigan consequences of defects relating to its 18650 battery." *Id.* at 673.

ii. The Texas Supreme Court agrees. In *LG Chem America, Inc.* v. *Morgan*, 670 S.W.3d at 343, the court held that the "minimum-contacts analysis requires evaluation of a defendant's contacts with the forum . . . as a whole." As a result, when a "defendant purposefully avails itself of the privilege of doing business in [a State] by selling and distributing into [that State] the very product that injures a plaintiff, personal jurisdiction is not lacking merely because the plaintiff is outside a segment of the market the defendant targeted." *Id.* at 343. The relatedness test, in other words, "does not require that the plaintiff's claims arise out of a set of facts mirroring the defendant's expectations about the course its product would follow after it entered" the State. *Id.* at 343-344.

iii. The Mississippi Supreme Court concurs. In *Dilworth* v. *LG Chem, Ltd.*, 355 So. 3d 201, 208 (2022), that court asserted that, "[f]or a specific jurisdiction analysis,

the placement of the product in the marketplace is the relevant focus, not how the injured plaintiff used the subject product." Accordingly, the court held that a foreign manufacturer's "deliberate exploitation of the general market" in a State "for lithium-ion batteries was sufficient to satisfy" the relatedness test of *Ford*. *Id.* at 209. It opined that the "unforeseen misuse of a product 'goes to the substantive merits of a products liability action'"—not to personal jurisdiction. *Ibid.*

iv. The decision below exacerbates the division among lower courts. The court below recognized that *Ford* dealt with a nonresident defendant that advertised and sold the allegedly defective product to forum residents. App., *infra*, 17a. It conceded that petitioner "did not advertise or sell its allegedly defective product to" forum residents. *Ibid.* And it pointed out that petitioner "shipped its 18650 battery cells in sealed battery packs and [that] no evidence shows [plaintiff's] claim 'came about' because of [petitioner's] [forum] activities." *Ibid.* Despite those salient facts, the court held that petitioner's "'different market' argument" was "inconsistent" with this Court's precedent. App., *infra*, 18a. Such an approach, the court said, "would require courts 'to re-slice the forum sales along a potentially infinite number of different markets,' which would render a jurisdictional inquiry unworkable." *Id.* at 19a.

3. The persistent division amongst lower courts has yielded disparate outcomes for petitioner (and at least one other foreign battery manufacturer) across the Nation—even though these cases involve materially indistinguishable facts. Compare, *e.g.*, *Myers*, 143 F.4th at 775 (no jurisdiction over petitioner); *Ethridge*, 163 F.4th at 139 (same), with App., *infra*, 21a (jurisdiction over

petitioner). This growing inconsistency underscores the need for this Court's review. It is disagreement over the relatedness standard set forth in *Ford*—not different facts—that is causing lower courts to fracture.

B. The Decision Below Is Incorrect

The lower court's expansive approach cannot be reconciled with this Court's precedent.

1. The foundational principle of personal jurisdiction is that "[d]ue process limits on the State's adjudicative authority principally protect the liberty of the nonresident defendant—not the convenience of plaintiffs or third parties." *Walden* v. *Fiore*, 571 U.S. 277, 284 (2014). The requisite relatedness relationship must therefore "arise out of contacts that the 'defendant *himself*' creates with the forum State," *id.* at 284-285, not the "unliteral activity of those who claim some relationship with [the] nonresident defendant," *Hanson* v. *Denckla*, 357 U.S. 235, 253 (1958).

The Court has also long recognized that corporations are permitted to "'structure [their] primary conduct' to lessen or avoid exposure to a given State's courts." *Ford*, 592 U.S. at 360; see *Burger King Corp.*, 471 U.S. at 472; *World-Wide Volkswagen*, 444 U.S. at 297. This assurance is illusory when jurisdictional rules are complex and uncertain. See *Hertz Corp.* v. *Friend*, 559 U.S. 77, 94 (2010) ("Simple jurisdictional rules also promote greater predictability. Predictability is valuable to corporations making business and investment decisions."); see also *Bowen* v. *Massachusetts*, 487 U.S. 879, 930 (1988) (Scalia, J., dissenting) ("[n]othing is more wasteful than litigation about where to litigate").

These principles reflect the broader principle that specific jurisdiction is founded on reciprocity and notice.

"When (but only when) a company 'exercises the privilege of conducting activities within a state'—thus 'enjoying the benefits and protections of its laws'"—may the state "hold the company to account for related misconduct." *Ford*, 592 U.S. at 360 (brackets omitted). Accordingly, a corporation that "extensively" and "regularly" markets a specific product in a State creates an "obligation[]" for itself to ensure that its product is "safe for [the State's] citizens to use." *Id.* at 368. It "cannot be thought surprising" that a resident consumer can sue the corporation in the State after the defendant's marketed product malfunctions there. *Ibid.*

2. The decision below violates those bedrock principles. The court below acknowledged that petitioner limited its contacts with Minnesota to sales of sealed battery packs containing 18650 cells to three sophisticated corporate customers. App., *infra*, 5a. It also recognized that petitioner authorized those sophisticated corporate customers to use the sealed battery packs only as component parts of pre-authorized products, none of which included vaping devices. *Id.* at 5a. And it conceded that petitioner did *not* advertise, sell, or otherwise promote its 18650 cells to consumers—let alone encourage consumers to use its 18650 cells on a standalone basis to power e-cigarette devices. *Ibid.*

The court below nevertheless held that petitioner's contacts in Minnesota were sufficiently related to plaintiff's product-liability claims to support specific jurisdiction. It reasoned that petitioner had "sold and shipped millions of Samsung 18650 battery packs *directly* to Minnesota manufacturers" and declined to distinguish petitioner's transactions with sophisticated corporate clients from its (nonexistent) efforts to exploit "consumer

markets" for the product within the forum. App., *infra*, 17a-18a. To "re-slice" the forum in this way, the court reasoned, would be "inconsistent" with this Court's precedent and would render the "jurisdictional inquiry unworkable." *Id.* at 18a-19a.

3. That reasoning does not withstand scrutiny. As an initial matter, the sale of millions of batteries for use in end products, continuous and voluminous as it may be, cannot support jurisdiction over a plaintiff's unrelated lawsuit. As this Court has (repeatedly) explained: "'Even regularly occurring sales of a product in a State do not justify the exercise of jurisdiction over a claim unrelated to those sales.'" *Bristol-Myers Squibb Co.* v. *Superior Ct. of Cal.*, 582 U.S. 255, 264 (2017) (brackets omitted); *Goodyear*, 564 U.S. at 927; *Int'l Shoe Co.*, 326 U.S. at 318. To hold otherwise would transform specific jurisdiction into a "loose and spurious form of general jurisdiction." *Bristol-Myers Squibb*, 582 U.S. at 264.

The lower court's refusal to differentiate between different markets for the product within the forum conflates the analyses for purposeful availment and relatedness. To be sure, this Court has held that "personal jurisdiction requires a forum-by-forum, or sovereign-by-sovereign, analysis" to determine whether the defendant has *availed itself* of the protections and the privileges of doing business in a given forum State. *J. McIntyre Mach., Ltd.* v. *Nicastro*, 564 U.S. 873, 884 (2011) (plurality opinion); see *Fuld*, 606 U.S. at 15-16 (similar). But petitioner has not based its argument on the absence of purposeful availment. The question in this case is whether petitioner's forum contacts give rise to a reasonable expectation by the petitioner that it will be haled into the

forum State's courts to defend claims like respondent's. That is a separate inquiry: relatedness.

The relatedness inquiry, in a case like this, requires "slicing" the forum into different markets to distinguish sales activity by the defendant that reasonably could be expected to give rise to the plaintiff's claims from sales activity that does not, and that resultingly cannot support the exercise of specific personal jurisdiction consistent with due process. That inquiry is not unworkable. Indeed, the First Circuit recently performed this so-called market segmentation without difficulty in *Cappello* v. *Restaurant Depot, LLC*, 89 F.4th 238 (2023). In that case, the court held that the defendant produce-supplier was not subject to specific jurisdiction because the plaintiff failed to show that the defendant's extension of produce supply memberships to businesses in New Hampshire "had anything to do" with injuries that the plaintiff had sustained from purchasing a salad as a "retail customer"—a type of customer that the defendant "does not and cannot serve." *Id.* at 246.

That leaves the lower court's emphasis on the fact that the plaintiff—a Minnesota resident—acquired the allegedly defective product in Minnesota and was injured in Minnesota. Those facts do not move the needle. The mere fact of an in-state injury is not a silver bullet for obtaining specific jurisdiction. "[A]n injury is jurisdictionally relevant only insofar as it shows that the defendant has formed a contact with the forum State." *Walden*, 571 U.S. at 290. Where there is no connection between the plaintiff's injury and the defendant's contacts with the State (as here), "where a plaintiff lives or works" is wholly irrelevant to the jurisdictional analysis. *Ibid.*

At base, a chasm exists between this case and *Ford*. Petitioner does not, like Ford, "[b]y every means imaginable—among them, billboards, TV and radio spots, print ads, and direct mail . . . urge[] . . . Minnesotans to buy its" 18650 lithium-ion battery cells. *Ford*, 592 U.S. at 365. Its battery cells, unlike Ford vehicles, are not "available for sale, whether new or used, throughout" Minnesota for individual consumer consumption. *Ibid.* And petitioner does not, like Ford, "work[] hard to foster ongoing connections" to individual consumers. *Ibid.* Instead, it does everything it reasonably can to *prevent* individual consumers from purchasing its battery cells.

In short, a relationship may exist between petitioner and Minnesota via its sales of 18650 lithium-ion battery cells as component parts of sealed battery packs to sophisticated corporate clients. And a relationship may exist between respondent and Minnesota because his injuries occurred there. But "[w]hat is needed—and what is missing here—is a connection" between those two relationships. *Bristol-Myers Squibb*, 582 U.S. at 265. "*Ford* cannot transform two pumpkin seeds into a stagecoach." *Ethridge*, 137 F.4th at 324 (Jones, J., dissenting). The court below erred in holding otherwise.

C. The Question Presented Is Important

The question presented is exceptionally important. It asks this Court to clarify the proper standard for determining when a foreign manufacturer that sells its products only to certain sophisticated corporate customers to be used only for certain authorized uses can be subject to specific personal jurisdiction.

1. In recent years, the Court has frequently granted review in cases raising questions concerning the exercise of personal jurisdiction. See, *e.g.*, *Mallory* v. *Norfolk S.*

Ry., 600 U.S. 122 (2023); *Ford*, *supra*; *BNSF Ry.* v. *Tyrrell*, 581 U.S. 402 (2017); *Bristol-Myers Squibb*, *supra*; *Walden*, *supra*. Indeed, this Court has now thrice granted certiorari to decide how closely a defendant's forum contacts must be connected to a plaintiff's claim for the arise-out-of-or-relate-to requirement to be satisfied—only to leave questions unanswered each time. See *Ford*, 592 U.S. at 362 (stating the phrase *relate to* "incorporates real limits," but failing to define those limits); *Bristol-Myers Squibb*, 582 U.S. at 261; *Carnival Cruise Lines, Inc.* v. *Shute*, 499 U.S. 585, 589 (1991). This uncertainty should not persist any longer.

Moreover, the Court's frequent grants of certiorari in personal jurisdiction cases reflect the importance of having consistent jurisdictional rules that allow corporations to structure their business and investment decisions with some degree of predictability. See *Hertz*, 559 U.S. at 94. Such consistency and predictably are critical as the world's channels of commerce become increasingly interconnected.

This case highlights those concerns. The court below acknowledged no steps that petitioner could take to lessen its exposure to specific jurisdiction in Minnesota. Its reasoning implies that no such steps exist. Instead, by the lower court's reasoning, no matter what steps a foreign corporation might take to limit sales of its product in a given forum to limit its exposure to suit there, a corporation may be subject to specific jurisdiction if third parties manage to subvert those efforts, resulting in the corporation's product being sold in the forum in a manner and to customers that the corporation could not reasonably anticipate based upon its own, limited contacts with the forum. The decision below thus leaves

corporations with two options: either (1) sell their product in a given State and be subject to suit there with respect to *any* lawsuit involving that product (regardless of whether the suit has any connection to the corporation's business in the state) or (2) do not sell the product in the forum at all. Such an expansive view of specific jurisdiction harms American consumers by making it costlier for corporations to do business in each U.S. State, disincentivizes foreign participation in U.S. commerce, and "could prove catastrophic for out-of-state business defendants, large and small." *Ethridge*, 137 F.4th at 324 (Jones, J., dissenting).

2. The intractable division among lower courts also encourages forum shopping. It provides incentive to plaintiffs to bring suit in the forum that they believe will be most receptive to their claims. That is easy to do in products-liability suits like this one. A plaintiff's attorney often has little trouble finding an in-forum defendant who has had at least some contact with the product and whose joinder will destroy complete diversity. App., *infra*, 4a (naming Infinite Vapors and Uptown Vapors LLC—two Minnesota vape stores—as defendants). The potential for "[f]orum shopping" is a "substantial reason for granting certiorari." *Yee* v. *City of Escondido*, 503 U.S. 519, 538 (1992). The Court should do so here.

3. This Court's intervention is also necessary because the lower court "paid little heed to the risks to international comity" posed by its "expansive view" of personal jurisdiction. *Daimler AG* v. *Bauman*, 571 U.S. 117, 141 (2014). Many nations do not share the "uninhibited approach to personal jurisdiction" embraced by the court below. *Ibid.* And few American companies would find it fair to be haled before tribunals thousands of

miles outside the United States merely because an unauthorized consumer was injured by an unauthorized subcomponent of a product that the consumer acquired through unauthorized distribution channels.

Indeed, several nations have adopted so-called "'retaliatory' jurisdictional provisions." Gary B. Born, *Reflections on Judicial Jurisdiction in International Cases*, 17 Ga. J. Int'l & Compar. L. 1, 15 (1987). Those statutes "authorize their courts to exercise jurisdiction over a foreign defendant whenever the defendant's nation would do the same in analogous situations." Austen L. Parrish, *Sovereignty, Not Due Process: Personal Jurisdiction over Nonresident Alien Defendants*, 41 Wake Forest L. Rev. 1, 49 (2006).

The lower court's expansive view of specific jurisdiction therefore risks not only "hal[ing] foreign [companies] into U.S. courts." *Fuld*, 606 U.S. at 18. It also risks thrusting American companies into foreign courts. Cf. *Kiobel* v. *Royal Dutch Petroleum Co.*, 569 U.S. 108, 124 (2013) (declining to recognize cause of action in part because it "would imply that other nations, also applying the law of nations, could hale our citizens into their courts for alleged violations of the law of nations occurring in the United States, or anywhere else in the world").

This jurisdictional tit-for-tat may "offend foreign sovereigns, . . . provoke diplomatic protests, trigger commercial or judicial retaliation, and threaten friendly relations in unrelated fields." Born, 17 Ga. J. Int'l & Compar. L. at 29 (footnotes omitted). It may also "interfere with United States efforts to conclude international agreements providing for mutual recognition and enforcement of judgments or restricting exorbitant jurisdictional claims by foreign states." *Ibid.*

As the Government itself has explained to this Court: Expansive views of personal jurisdiction by U.S. courts "have in the past impeded negotiations of international agreements." U.S. Br. at 2, *Daimler*, *supra* (No. 11-965).

D. This Case Is An Ideal Vehicle

This case presents an ideal vehicle for the Court to resolve the question presented.

The issue of personal jurisdiction was decided at the motion-to-dismiss stage after jurisdictional discovery. Thus there are no disputed facts. See *Rilley* v. *MoneyMutual, LLC*, 884 N.W.2d 321, 326 (Minn. 2016) ("Whether personal jurisdiction exists is a question of law, which we review de novo. When reviewing a motion to dismiss for lack of personal jurisdiction, we determine whether, taking all the factual allegations in the complaint and supporting affidavits as true, the plaintiff has made a prima facie showing of personal jurisdiction." (internal citation omitted)). Indeed, respondent does not dispute that petitioner limits its contacts in Minnesota to three companies, and that petitioner does not design, manufacture, distribute, advertise, or sell its batteries for use by individual consumers as standalone batteries in e-cigarette devices. The only contested issue is one of law.

The question of how the relatedness test applies to this context is also outcome-determinative. All agree that petitioner is not subject to general personal jurisdiction in Minnesota. App., *infra*, 7a. Petitioner "concede[d]" that it had purposefully availed itself of the privilege of doing business in Minnesota. *Ibid.* The case therefore tees up a single issue: relatedness.

This case thus presents the Court with a clean opportunity to resolve the disarray in the lower courts on a recuring question of enormous practical importance.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted.

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