

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN LED LANDSCAPING
LIGHTING DEVICES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1261

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO THE LUMIEN
RESPONDENTS BASED ON A CONSENT ORDER; ISSUANCE OF A CONSENT
ORDER**

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 an initial determination (“ID”) (Order No. 20) of the presiding administrative law judge (“ALJ”) granting a motion to terminate the following respondents in the above-captioned investigation based on a consent order: Lumien Enterprise, Inc. d/b/a Lumien Lighting, and Jiangsu Sur Lighting Co., Ltd. (collectively, “Lumien Respondents”). The Lumien Respondents are terminated from the investigation. The Commission has issued a consent order to the Lumien Respondents.

FOR FURTHER INFORMATION CONTACT: Ronald A. Traud, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3427. 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 April 13, 2021, based on a complaint filed on behalf of Wangs Alliance Corporation, d/b/a WAC Lighting. 86 FR 19282 (Apr. 13, 2021). The complaint alleged a violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain LED landscape lighting devices and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 10,571,101 and 10,920,971. *Id.* The complaint further alleged that an

industry in the United States exists as required by section 337. *Id.* The following were named as respondents in the investigation: the Lumien Respondents; Dauer Manufacturing Corp. of Medley, Florida; FUSA Corp. of Medley, Florida; cBright Lighting, Inc. of San Leandro, California; CAST Lighting LLC of Hawthorne, New Jersey; and Shenzhen Wanjia Lighting Co., Ltd. d/b/a WONKA of Shenzhen, China. *Id.*

On September 10, 2021, the Lumien Respondents filed an unopposed motion to terminate this investigation with respect to themselves based on a consent order stipulation and a proposed consent order.

On September 10, 2021, the ALJ issued Order No. 20, the subject ID. The subject ID finds that the joint motion, consent order stipulation, and proposed consent order satisfy the requirements of Commission Rule 210.21, paragraphs (c)(3) and (c)(4) (19 CFR 210.21(c)(3), (c)(4)). The ID also finds that termination of the Lumien Respondents would not be contrary to the public interest.

The Commission has determined not to review the subject ID. The following respondents are hereby terminated from the investigation: Lumien Enterprise, Inc. d/b/a Lumien Lighting; and Jiangsu Sur Lighting Co., Ltd. The Commission has issued a consent order to Lumien Enterprise, Inc. d/b/a Lumien Lighting; and Jiangsu Sur Lighting Co., Ltd.

The Commission vote for this determination took place on October 6, 2021.

While temporary remote operating procedures are in place in response to COVID-19, the Office of the Secretary is not able to serve parties that have not retained counsel or otherwise provided a point of contact for electronic service. Accordingly, pursuant to Commission Rules 201.16(a) and 210.7(a)(1) (19 CFR 201.16(a), 210.7(a)(1)), the Commission orders that the Complainant(s) complete service for any party/parties without a method of electronic service noted on the attached Certificate of Service and shall file proof of service on the Electronic Document Information System (EDIS).

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.



Lisa R. Barton
Secretary to the Commission

Issued: October 6, 2021