

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN PHOTOVOLTAIC
CONNECTORS AND COMPONENTS
THEREOF**

Investigation No. 337-TA-1365

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION WITH
RESPECT TO CLAIM 8 OF U.S. PATENT NO. 11,689,153**

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. 29) issued by the presiding administrative law judge (“ALJ”) partially terminating this investigation with respect to asserted claim 8 of U.S. Patent No. 11,689,153 (“the ’153 patent”) based on withdrawal of the complaint as to that claim.

FOR FURTHER INFORMATION CONTACT: Paul Lall, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2043. 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 June 9, 2023, the Commission instituted this investigation based on a complaint filed by Shoals Technologies Group, LLC (“Shoals Technologies”) of Portland, Tennessee. 88 FR 37905-06 (June 9, 2023). The complaint alleges violations 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, or sale within the United States after importation of certain photovoltaic connectors and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 10,553,739 (“the ’739 patent”) and 10,992,254 (“the ’254 patent”). The Commission’s notice of investigation (“NOI”) named the following eight respondents: 1) Hikam America, Inc. of Chula Vista, California; 2) Hikam Electrónica de México, S.A. de C.V. of Mexicali, Mexico; 3) Hikam Tecnologia de Sinaloa of

Guasave, Mexico; 4) Hewtech Philippines Corp. of Laguna, Philippines; 5) Hewtech Philippines Electronics Corp. of Pampanga, Philippines; 6) Hewtech (Shenzhen) Electronics Co., Ltd. of Shenzhen, China; 7) Voltage, LLC (“Voltage”) of Chapel Hill, North Carolina; and 8) Ningbo Voltage Smart Production Co. (“Ningbo Voltage”) of Ningbo, China (collectively “Respondents”). *Id.* The Office of Unfair Import Investigations was also named as a party in this investigation. *Id.*

On August 15, 2023, the Commission amended the complaint and NOI to add allegations of infringement against respondents Voltage and Ningbo Voltage related to certain claims of the ’153 patent. *See* Order No. 5 (Jul. 18, 2023), *unreviewed by* Comm’n Notice (Aug. 15, 2023).

On March 11, 2024, the Commission terminated a number of claims from this investigation based on Shoals Technologies’ withdrawal of the complaint as to those claims. *See* Order No. 15 (Feb. 9, 2024), *unreviewed by* Comm’n Notice (March 11, 2024).

On March 26, 2024, the Commission terminated the ’254 patent from this investigation based on Shoals Technologies’ withdrawal of the complaint as to that patent. *See* Order No. 19 (Feb. 28, 2024), *unreviewed by* Comm’n Notice (March 26, 2024).

On April 19, the Commission found no violation as to the ’739 Patent because Shoals Technologies had not satisfied the technical prong of the domestic industry requirement for that patent. Order No. 20 (March 6, 2024), *unreviewed by* Comm’n Notice (Apr. 19, 2024).

On April 2, 2024, Shoals Technologies filed an unopposed motion to partially terminate the investigation (“Motion”) based on withdrawal of the complaint as to claim 8 of the ’153 patent.

On the same day, the presiding ALJ issued the subject ID (Order No. 29) granting Shoals Technologies’ Motion pursuant to Commission Rule 210.21(a) (19 CFR 210.21(a)). The ID finds that the Motion states that “there are no agreements, written or oral, express or implied between the parties concerning the subject matter of the investigation.” ID at 2. The ID further finds no extraordinary circumstances weighing against the requested partial termination. *Id.* No petitions for review of the subject ID were filed.

The Commission has determined not to review the subject ID. Claim 8 of the ’153 patent is hereby terminated from this investigation.

The Commission vote for this determination took place on April 26, 2024.

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 large, stylized flourish at the end.

Lisa R. Barton
Secretary to the Commission

Issued: April 26, 2024