

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN LED LIGHTING DEVICES,
LED POWER SUPPLIES,
COMPONENTS THEREOF, AND
PRODUCTS CONTAINING SAME**

Investigation No. 337-TA-1371

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION TERMINATING THE
INVESTIGATION WITH RESPECT TO A PATENT**

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. 8) issued by the presiding administrative law judge (“ALJ”), terminating the investigation with respect to U.S. Patent No. 9,119,268 (“the ’268 patent”) based on the complainant’s partial withdrawal of the complaint as to that patent.

FOR FURTHER INFORMATION CONTACT: Robert J. Needham, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 708-5468. 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 18, 2023, based on a complaint filed by Signify North America Corporation of Bridgewater, New Jersey, and Signify Holding B.V. of the Netherlands (together, “Signify”). 88 FR 56661-62 (Aug. 18, 2023). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain LED lighting devices, LED power supplies, components thereof, and products containing same by reason of infringement of claims 1-4, 6, and 7 of U.S. Patent No. 8,063,577; claim 1 of the ’268 patent; and claims 1, 4-7, 9, 10, 14, and 15 of U.S. Patent No. 8,070,328. *Id.* The complaint further

alleges that a domestic industry exists. *Id.* The Commission's notice of investigation named as respondents Current Lighting Solutions, LLC of Beachwood, Ohio. *Id.* at 56662. The Office of Unfair Import Investigations is participating in the investigation. *Id.*

On December 1, 2023, Signify filed an unopposed motion to terminate the investigation based on its withdrawal of the complaint with respect to claim 1 of the '268 patent, which is the only asserted claim of the '268 patent. That same day, OUII filed a response in support of the motion.

Also on December 1, 2023, the ALJ issued the subject ID pursuant to Commission Rule 210.21(a) (19 CFR 210.21(a)), granting the motion and terminating the investigation with respect to the withdrawn patent. No party petitioned for review of the subject ID.

The Commission has determined not to review the subject ID. The '268 patent is hereby terminated from this investigation.

The Commission vote for this determination took place on January 2, 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.



Lisa R. Barton
Secretary to the Commission

Issued: January 2, 2024