

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN MODULAR LED DISPLAY
PANELS AND COMPONENTS THEREOF**

Investigation No. 337-TA-1114

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION WITH RESPECT TO
RESPONDENT ELATION BASED ON A CONSENT ORDER**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (the “Commission”) has determined not to review a September 14, 2018, initial determination (“ID”) (Order No. 21) terminating the investigation with respect to Respondent Elation Lighting, Inc. (“Elation”) based on a consent order and stipulation and to issue the subject consent order.

FOR FURTHER INFORMATION CONTACT: Carl P. Bretscher, Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, DC 20436, telephone (202) 205-2382. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<https://www.usitc.gov>). The public record for this investigation may be viewed on the Commission’s Electronic Docket Information System (“EDIS”) (<https://edis.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 May 31, 2018, the Commission instituted this investigation based on a Complaint (and an amendment and supplement thereto) filed on behalf of Ultravision Technologies, LLC of Dallas, Texas (“Ultravision”). 83 FR 25044 (May 31, 2018). The amended and supplemented Complaint alleged Respondents were violating Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, by importing into the United States, selling for importation, or selling within the United States after importation certain modular LED display panels and components thereof that allegedly infringe claims 1, 3-10, 12-14, 16-19, 21-23, and 25-27 of U.S. Patent No. 9,349,306 and claims 1-6, 9-14, 16, and 22-28 of U.S. Patent No. 9,916,782. The Commission’s Notice of Investigation named forty parties as respondents, including Elation, the subject of the present ID. The Office of Unfair Import Investigations (“OUII”) was also named a party to this investigation.

On August 20, 2018, in Order No. 15, the administrative law judge (“ALJ”) denied a motion by Elation to terminate the investigation and suspend the procedural schedule with respect to Elation based on a consent order stipulation and proposed consent order.

On August 28, 2018, Elation filed a renewed motion to terminate the investigation and suspend the procedural schedule with respect to Elation. On September 7, 2018, OUII filed a response supporting Elation’s motion. No other responses were filed.

On September 14, 2018, the ALJ issued the subject ID (Order No. 21) granting Elation’s motion to terminate the investigation and suspend the procedural schedule with respect to Elation and issue the proposed consent order, pursuant to Commission Rules 210.21(c) and 210.50(b)(2), 19 CFR §§ 210.21(c), 210.50(b)(2).

No party filed a petition seeking review of the subject ID. The Commission has determined not to review the ID and to issue the consent order.

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 stylized flourish at the end.

Lisa R. Barton
Secretary to the Commission

Issued: October 2, 2018