

CORRECTED

**UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.**

In the Matter of

**CERTAIN PHOTOVOLTAIC CELLS
AND PRODUCTS CONTAINING SAME**

Investigation No. 337-TA-1151

**NOTICE OF COMMISSION DECISION TO EXTEND THE DATE FOR
DETERMINING WHETHER TO REVIEW AN INITIAL DETERMINATION
GRANTING COMPLAINANTS' UNOPPOSED MOTION FOR SUMMARY
DETERMINATION THAT THEY SATISFY THE ECONOMIC PRONG OF THE
DOMESTIC INDUSTRY REQUIREMENT**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to extend the date for determining whether to review an initial determination ("ID") (Order No. 35) of the presiding administrative law judge ("ALJ") granting complainants' unopposed motion for summary determination that they satisfy the economic prong of the domestic industry requirement. The Commission has extended the date for determining whether to review the ID to December 10, 2019.

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436, telephone (202) 708-2310. 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, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.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 9, 2019, based on a complaint filed on behalf of Hanwha Q CELLS USA, Inc. of Dalton, Georgia and Hanwha Q CELLS & Advanced Materials Corporation of Seoul, Republic of Korea (collectively, "Hanwha"). 84 *Fed. Reg.* 14134-35 (April 9, 2019). 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, and the sale within the United States after importation of certain photovoltaic cells and products containing same by reason of infringement of certain claims of U.S. Patent No. 9,893,215 (“the ’215 patent”). The complaint further alleges the existence of a domestic industry. The Commission’s notice of investigation named several respondents. The Office of Unfair Import Investigations (“OUII”) is participating in the investigation.

On September 20, 2019, Hanwha filed an unopposed motion for summary determination that it satisfies the economic prong of the domestic industry requirement under 19 U.S.C. §§ 1337(a)(3)(A)-(B). OUII filed a response in support of the motion.

On October 30, 2019, the ALJ issued the subject ID (Order No. 35) granting Hanwha’s unopposed motion for summary determination that it satisfies the economic prong of the domestic industry requirement under 19 U.S.C. §§ 1337(a)(3)(A)-(B) for the ’215 patent. No party petitioned for review.

The Commission has extended the date for determining whether to review the subject ID to December 10, 2019.

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: December 2, 2019