

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

In the Matter of

**CERTAIN FILAMENT LIGHT-EMITTING
DIODES AND PRODUCTS CONTAINING
SAME (II)**

Investigation No. 337-TA-1220

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING UNOPPOSED MOTION FOR PARTIAL
TERMINATION OF THE INVESTIGATION AS TO A RESPONDENT**

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. 47) of the presiding administrative law judge (“ALJ”) granting an unopposed motion for partial termination of the investigation as to respondent Savant Systems, Inc. of Hyannis, Massachusetts (“Savant Systems”) for good cause.

FOR FURTHER INFORMATION CONTACT: Houda Morad, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-4716. 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: On October 5, 2020, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), based on a complaint filed by The Regents of the University of California (“Complainant”). *See* 85 FR 62761-62 (Oct. 5, 2020). The complaint, as supplemented, alleges a violation of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain filament light-emitting diodes and products containing the same by reason of infringement of claims 1, 6, 8, and 9 of U.S. Patent No. 9,240,529 (“the ’529 patent”); claims 1, 7, 9, and 10 of U.S. Patent No. 9,859,464 (“the ’464 patent”); claims 1, 2, and 6 of U.S. Patent No. 10,593,854 (“the ’854 patent”); claims 1 and 2 of U.S. Patent No. 10,644,213 (“the ’213 patent”); and claims 1 and 2 of U.S. Patent No. 10,658,557 (“the ’557 patent”). *See id.* In addition to respondent Savant Systems, the notice of investigation names the following respondents: Home Depot Product Authority, LLC; Home Depot U.S.A., Inc.; and The Home Depot, Inc. of Atlanta, Georgia;

General Electric Company of Boston, Massachusetts; Consumer Lighting (U.S.) LLC, d/b/a GE Lighting of Cleveland, Ohio; Feit Electric Company, Inc. of Pico Rivera, California; Satco Products, Inc. of Brentwood, New York; IKEA Supply AG of Pratteln, Switzerland; IKEA U.S. Retail LLC of Conshohocken, Pennsylvania; and IKEA of Sweden AB of Almhult, Sweden. *See id.* The Office of Unfair Import Investigations is also a party to the investigation. *See id.*

On November 5, 2020, the ALJ granted non-party Signify North America Corp.'s motion to intervene in this investigation. *See* Order No. 14 (Nov. 5, 2020), *unreviewed by* Comm'n Notice (Nov. 30, 2020). On November 16, 2020, the ALJ granted non-party Global Value Lighting LLC's motion to intervene in this investigation. *See* Order No. 15 (Nov. 16, 2020), *unreviewed by* Comm'n Notice (Dec. 8, 2020).

On June 29, 2021, the Commission terminated the investigation as to the '213 patent in its entirety; claim 9 of the '529 patent; claim 10 of the '464 patent; claims 2 and 6 of the '854 patent; and claim 2 of the '557 patent. *See* Order No. 37 (June 15, 2021), *unreviewed by* Comm'n Notice (June 29, 2021).

On August 25, 2021, respondents General Electric Company, Savant Technologies LLC (formerly, Consumer Lighting (U.S.) LLC), and Savant Systems (collectively, "GE Lighting") filed an unopposed motion for partial termination of the investigation as to respondent Savant Systems for good cause pursuant to Commission Rule 210.21(a)(1), 19 CFR 210.21(a)(1). Complainant did not oppose the motion. On August 26, 2021, OUII filed a response in support of the motion.

On August 27, 2021, the ALJ issued the subject ID (Order No. 47) granting the motion. In accordance with Commission Rule 210.21(a)(1), 19 CFR 210.21(a)(1), the ID notes that the GE Lighting respondents represent that "there are no agreements, written or oral, express or implied, between the parties concerning the subject matter of the Investigation." *See* ID at 1-2. The ID also notes that "GE Lighting represents that after the investigation was instituted, facts came to light indicating that Savant Systems was improperly named as a respondent" and that "Savant Technology is the only Savant entity involved in the importation and sale of products accused in this investigation." *See id.* at 1. The ID further notes that "Complainant has agreed not to oppose the pending motion to terminate Savant Systems." *See id.* at 2. Thus, the ID finds that "good cause exists to terminate the investigation as to Savant Systems." *See id.* No petition for review of the subject ID was filed.

The Commission has determined not to review the subject ID. Savant Systems is terminated from the investigation.

The Commission's vote for this determination took place on September 16, 2021.

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". The signature is fluid and cursive, with the first name "Lisa" being the most prominent part.

Lisa R. Barton
Secretary to the Commission

Issued: September 16, 2021