

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN TOPCON SOLAR CELLS,
MODULES, PANELS, COMPONENTS
THEREOF, AND PRODUCTS
CONTAINING SAME**

Investigation No. 337-TA-1494

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION FINDING CERTAIN RESPONDENTS IN DEFAULT**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined not to review an initial determination (“ID”) (Order No. 45) of the presiding administrative law judge (“ALJ”), finding certain respondents in default.

FOR FURTHER INFORMATION CONTACT: Joelle P. Justus, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-2593. 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 March 30, 2026, based on a complaint, as supplemented, filed by First Solar, Inc. (“First Solar”) of Phoenix, Arizona. 91 FR 15632-34 (Mar. 30, 2026). The complaint, as supplemented, 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 and the sale of certain TOPCon solar cells, modules, panels, components thereof, and products containing same by reason of the infringement of certain claims of U.S. Patent No. 9,130,074. *Id.* at 15632. The complaint, as supplemented, further alleges that an industry in the United States exists or is in the process of being established. *Id.* The Commission’s notice of investigation named as respondents AXITEC, LLC (“Axitec USA”) of Radnor, Pennsylvania; AXITEC Energy GmbH & Co. KG (“Axitec Germany”) of Böblingen, Germany; AXITEC SOLAR, LLC (“Axitec Solar”) of Newark, Delaware; Canadian Solar Inc. of Ontario, Canada; CSI Solar Co., Ltd. of Suzhou, China; Canadian Solar (USA) Inc. of Walnut

Creek, California; Canadian Solar Manufacturing (Thailand) Co., Ltd. of Bo Win, Thailand; Canadian Solar US Module Manufacturing Corporation of Mesquite, Texas; Canadian Solar International Ltd. of Kowloon, Hong Kong; JA Solar Technology Co., Ltd. of Beijing, China; JA Solar USA, Inc. of San Jose, California; JA Solar AZ, LLC of Phoenix, Arizona; JA Solar International, Ltd. of Kowloon, Hong Kong; JA Solar Vietnam Co., Ltd. of Bac Giang, Vietnam; JinkoSolar Holding Co., Ltd. of Jiangxi Province, China; Jinko Solar Co., Ltd. of Jiangxi Province, China; Jinko Solar (Vietnam) Industries Co. Ltd. of Quang Ninh, Vietnam; Jinko Solar Technology Sdn. Bhd. of Pulau Pinang, Malaysia; Zhejiang Jinko Solar Co., Ltd. of Zhejiang Province, China; JinkoSolar (U.S.) Inc. of Campbell, California; JinkoSolar (U.S.) Manufacturing Inc. of Dover, Delaware; JinkoSolar (U.S.) Industries Inc. of Jacksonville, Florida; Mundra Solar PV Limited of Gujarat, India; Mundra Solar Energy Ltd. of Gujarat, India; Adani Green Energy Ltd. of Gujarat, India; Philadelphia Solar LLC of Amman, Jordan; Philadelphia Solar USA Inc. of San Mateo, California; Hanwha Q CELLS USA Inc. of Dalton, Georgia; Hanwha Q CELLS America Inc. of Irvine, California; Hanwha Q CELLS USA Corp. of Irvine, California; Hanwha Solutions Corporation of Seoul, Korea; Jiangsu Runergy New Energy Technology Co., Ltd. of Jiangsu Province, China; Runergy USA Inc. of Pleasanton, California; Runergy Alabama Inc. of Huntsville, Alabama; Runergy USA Trading LLC of Dover, Delaware; Runergy PV Technology (Thailand) Co., Ltd. of Rayong, Thailand; Trina Solar Co., Ltd. of Jiangsu Province, China; Trina Solar (U.S.), Inc. of Fremont, California; Trina Solar Energy Development Co., Ltd. of Thai Nguyen Province, Vietnam; Changzhou Trina Solar Energy Co., Ltd. of Zhejiang, China; Trina Solar Yiwu Technology Co., Ltd. of Zhejiang, China; TI Energy, Inc. of Austin, Texas; TI GI Dallas Solar Module LLC of Wilmer, Texas; Vietnam Sunergy Joint Stock Company of Bac Giang Province, Vietnam; VSUN Solar USA Inc. of Fremont, California; Toyo Co., Ltd. of Tokyo, Japan; and Toyo Solar Texas, LLC of Humble, Texas. *Id.* at 15633. The Office of Unfair Import Investigations (“OUII”) is also a party in this investigation. *Id.*

Respondents BYD America LLC, Tesla, Inc., and IC Star Solar (USA) LLC d/b/a Imperial Star were added to the investigation by intervention. Order No. 7 (Apr. 27, 2026), *unreviewed by* Comm’n Notice (May 27, 2026), 91 FR 32434-35 (June 1, 2026); Order No. 10 (May 11, 2026), *unreviewed by* Comm’n Notice (June 10, 2026), 91 FR 36000-01 (June 15, 2026); Order No. 18 (June 25, 2026), *unreviewed by* Comm’n Notice (July 27, 2026), 91 FR 48189-90 (July 30, 2026). The complaint and notice of investigation were amended to change the name of respondent JA Solar AZ, LLC to American Panel Solutions LLC. Order No. 13 (May 28, 2026), *unreviewed by* Comm’n Notice (June 23, 2026), 91 FR 38455-56 (June 25, 2026). Respondents Mundra Solar Energy Ltd., Adani Green Energy Ltd., Philadelphia Solar USA Inc., and Changzhou Trina Solar Energy Co, Ltd. were terminated from the investigation by withdrawal of the complaint. Order No. 14 (May 28, 2026), *unreviewed by* Comm’n Notice (June 24, 2026); Order No. 17 (June 24, 2026), *unreviewed by* Comm’n Notice (July 24, 2026).

On July 28, 2026, First Solar filed a motion for an order directing Respondents Axitec USA, Axitec Germany, and Axitec Solar (collectively, “the Axitec Respondents”) to show cause why they should not be held in default for failing to respond to the complaint and notice of investigation. On August 17, 2026, the ALJ issued the requested show cause order, requiring a

response from the Axitec Respondents by no later than August 27, 2026. Order No. 30 at 2 (Aug. 17, 2026). The show cause order was served on the Axitec Respondents by first class mail. EDIS Doc. ID 891819-2608327. None of the Axitec Respondents responded to the show cause order.

On September 4, 2026, the ALJ issued the subject ID finding that the Axitec Respondents are in default and have waived their rights to appear, to be served with documents, and to contest the allegations at issue in this investigation, pursuant to Commission Rule 210.16, 19 CFR 210.16. Order No. 45 at 2 (Sept. 4, 2026). No petitions for review of the subject ID were filed.

The Commission has determined not to review the subject ID. Respondents Axitec USA, Axitec Germany, and Axitec Solar are in default for failure to respond to the complaint and notice of investigation, and have waived their rights to appear, to be served with documents, and to contest the allegations at issue in this investigation.

The Commission vote for this determination took place on October 6, 2026.

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 'L. Barton', enclosed within a rectangular box.

Lisa R. Barton
Secretary to the Commission

Issued: October 6, 2026