

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN GROUND FAULT CIRCUIT
INTERRUPTERS AND PRODUCTS
CONTAINING SAME**

Investigation No. 337-TA-739

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW TWO INITIAL
DETERMINATIONS TERMINATING THE INVESTIGATION AS TO RESPONDENTS
READY WHOLESALE ELECTRIC AND LIGHTING, INC. AND WAREHOUSE-
LIGHTING.COM LLC BASED ON CONSENT ORDER STIPULATIONS;
ISSUANCE OF CONSENT ORDERS**

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. 40) issued by the presiding administrative law judge (“ALJ”) granting a joint motion to terminate the investigation as to respondent Ready Wholesale Electric and Lighting, Inc. based on a consent order stipulation and an ID (Order No. 41) granting a joint motion to terminate the investigation as to respondent Warehouse-Lighting.com LLC based on a consent order stipulation. The Commission has issued the subject consent orders with an appropriate redaction.

FOR FURTHER INFORMATION CONTACT: Jia Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-4737. 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, S.W., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <http://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 October 8, 2010, based on a complaint filed by Leviton Manufacturing Co. (“Leviton”) of Melville, New York. 75 *Fed. Reg.* 62420 (Oct. 8, 2010). The complaint alleged 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, and the sale within the United States after importation of certain ground fault circuit interrupters and products containing the same by reason of infringement of various claims of United States Patent Nos. 7,463,124; 7,737,809; and 7,764,151. The Commission's notice of investigation named numerous respondents, including respondents Ready Wholesale Electric and Lighting, Inc. of Reseda, California ("Ready Wholesale") and Warehouse-Lighting.Com LLC of Muskego, Wisconsin ("Warehouse-Lighting").

On March 28, 2011, Leviton and Ready Wholesale filed a joint motion before the ALJ to terminate the investigation with respect to Ready Wholesale on the basis of a consent order stipulation. The consent order stipulation and a proposed consent order were attached to the joint motion. On April 5, 2011, Leviton and Warehouse-Lighting filed a joint motion to terminate the investigation with respect to Warehouse-Lighting on the basis of a consent order stipulation. The consent order stipulation and a proposed consent order were attached to the joint motion. The Commission investigative attorney supported both motions.

On April 8, 2011, the ALJ issued Order No. 40 granting Leviton and Ready Wholesale's joint motion. The ALJ observed that Commission Rule 210.21(c)(3) (19 C.F.R. § 210.21(c)(3)) sets forth certain requirements for the contents of a consent order stipulation and that the stipulation submitted by the parties complies with these requirements. The ALJ found that termination of this investigation with respect to Ready Wholesale does not impose any undue burdens on the public health and welfare, competitive conditions in the United States economy, production of like or directly competitive articles in the United States, or United States consumers. On April 11, 2011, the ALJ issued Order No. 41 granting Leviton and Warehouse-Lighting's joint motion. The ALJ observed that the stipulation submitted by the parties complies with the requirements of Commission Rule 210.21(c)(3). The ALJ found that termination of this investigation with respect to Warehouse-Lighting does not impose any undue burdens on the public health and welfare, competitive conditions in the United States economy, production of like or directly competitive articles in the United States, or United States consumers. No petitions for review were filed with respect to either ID.

The Commission has determined not to review the subject IDs and to issue the subject consent orders with an appropriate redaction.

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 C.F.R. Part 210).

By order of the Commission.

James R. Holbein
Acting Secretary to the Commission

Issued: May 2, 2011