

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN LED PHOTOGRAPHIC
LIGHTING DEVICES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-804

**NOTICE OF COMMISSION DETERMINATION TO REVIEW AN INITIAL
DETERMINATION TERMINATING U.S. PATENT NOS. 7,510,290 AND 7,429,117
FROM THE INVESTIGATION**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review the administrative law judge's ("ALJ") (Judge Essex) initial determination ("ID") (Order No. 19) granting a motion to terminate the investigation as to U.S. Patent Nos. 7,510,290 and 7,429,117, and on review, we affirm with one modification.

FOR FURTHER INFORMATION CONTACT: Amanda S. Pitcher, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2737. 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 September 7, 2011, based on a complaint filed by Litepanels, Inc. and Litepanels, Ltd. (collectively, "Litepanels"). 76 Fed. Reg. 55416 (Sept. 7, 2011). The complaint alleges violations of section 337 of the Tariff Act of 1930 as amended (19 U.S.C. § 1337) by reason of infringement of certain claims of U.S. Patent Nos. 7,429,117 ("the '117 patent"); 7,510,290 ("the '290 patent"); 7,318,652; 6,948,823; and 7,972,022. Supplements to the complaint were filed on August 23 and 25, 2011. The notice of investigation named fourteen respondents.

On April 10, 2012, the ALJ issued an ID (Order No. 19) granting Litepanels motion to terminate the investigation in part. The ALJ terminated the investigation as to the '117 and '290 patents. The ALJ noted that Litepanels represented that there are no agreements, written or oral, express or implied that concern the subject matter of the investigation. The ALJ determined that there were no extraordinary circumstances that would prevent the termination requested by Litepanels and that public policy supports termination. None of the parties petitioned for review of the ID.

The Commission has determined to review the ID. The Commission affirms the subject ID but declines to adopt the last sentence in footnote 1.

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 section 210.42 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.42).

By order of the Commission.

Lisa R. Barton
Acting Secretary to the Commission

Issued: May 3, 2012