

**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 NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO RESPONDENT
VISIO LIGHT, INC. BASED ON ENTRY OF CONSENT ORDER;
ISSUANCE OF CONSENT ORDER**

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 the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 8) granting a motion of respondent Visio Light, Inc. ("Visio") for termination of the investigation based on entry of a consent order. The Commission has issued the consent order.

FOR FURTHER INFORMATION CONTACT: Erin D.E. Joffre, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2550. 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. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) by reason of infringement of certain claims of U.S. Patent Nos. 7,429,117; 7,510,290; 7,318,652; 6,948,823; and 7,972,022. Supplements to the complaint were filed on August 23 and 25, 2011. The complaint, as supplemented, names fifteen respondents, including Visio Light, Inc. ("Visio").

On November 4 2011, respondent Visio filed an amended motion to terminate the investigation based on entry of a consent order, which Litepanels did not oppose. On November 7, 2011, the Commission investigative attorney filed a response in support of the motion.

On November 8, 2011, the ALJ issued the subject ID (Order No. 8), granting the motion for termination of the investigation as to Visio. No petitions for review of this ID were filed.

The Commission has determined not to review the ID.

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.



James R. Holbein
Secretary to the Commission

Issued: December 2, 2011

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

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In the Matter of:)	
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CERTAIN LED PHOTOGRAPHIC)	Investigation No.
LIGHTING DEVICES AND)	337-TA-804
COMPONENTS THEREOF)	
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CONSENT ORDER

The United States International Trade Commission (hereinafter the "Commission") has instituted this Investigation under Section 337 of the Tariff Act of 1930 as amended (19 U.S.C. §1337), based upon the allegations contained in the Complaint filed by Complainants Lightpanels, Inc. and Lightpanels, Ltd. (collectively, "Complainants") that alleges unfair acts in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain LED photographic lighting devices and components thereof by Respondent Visio Light, Inc. ("VLI").

VLI has executed a Stipulation to Proposed Consent Order in which VLI agrees to the entry of this Consent Order and to all waivers and other provisions as required by the Commission's Rules of Practice and Procedure and has filed an unopposed Motion for Termination of this Investigation based upon the Proposed Consent Order. In particular, VLI has stipulated as follows:

1. Respondent VLI is a company organized and existing under the laws of Taiwan, R.O.C., with its principal place of business at 7F, No. 249, Jian 1st. Rd., Jhong He City, Taipei, Taiwan.

2. VLI stipulates to the entry of this Consent Order (the "Consent Order").

3. The Commission has *in rem* jurisdiction over VLI's certain LED photographic lighting devices and components therefore that are the basis of this Investigation and the Commission has personal jurisdiction over VLI for purposes of the Consent Order.

4. VLI agrees that, upon entry of the Consent Order, it will not sell for importation, import into the United States, or sell or offer for sale in the United States after importation, or knowingly aid, abet, encourage, participate in, or induce importation into the United States, the sale for importation into the United States, or the sale, offer for sale, or use in the United States after importation certain LED photographic lighting devices and components thereof that infringe claims 1-2, 5-13, 17-25, 28-35, 38-43, 45-47, 50 of U.S. Patent Nos. 7,429,117 ("the '117 patent"); infringe claims 9-26, 47, 51, 53-60, 62 of 7,510,290 ("the '290 patent"); infringe claims 1-2, 5, 7, 10-11, 15-22, 24-34, 37 of 7,318,652 ("the '652 Patent"); infringe claims 17-21, 23-29, 85-88, 90-93 of 6,948,823 ("the '823 patent") and infringe claims 1, 57, 58, 59, 60 of 7,972,022 ("the '022 patent")

(collectively, the “Asserted Patents”) until the expiration, invalidation, and/or a finding of unenforceability of the claims of the Asserted Patents or until VLI’s products are found not to infringe or are licensed.

5. VLI expressly waives all rights to seek judicial review or otherwise challenge or contest the validity of the Consent Order, subject to Section 8, below.

6. VLI will cooperate with and will not seek to impede by litigation or other means the Commission’s efforts to gather information under subpart I of the Commission’s Rules, 19 C.F.R. Part 210.

7. Enforcement, modification, and revocation of the Consent Order will be carried out pursuant to subpart I of the Commission’s Rules, 19 C.F.R. Part 210.

8. The Consent Order shall not apply with respect to any claim of any intellectual property right that has expired or been found or adjudicated invalid or unenforceable by the Commission or a court or agency of competent jurisdiction, provided that such finding or judgment has become final and nonreviewable.

9. VLI will not seek to challenge the validity or enforceability of the Asserted Patents in any administrative or judicial proceeding to enforce the Consent Order, but shall be entitled to do so in any other proceeding.

10. The signing of the Consent Order Stipulation does not constitute an admission by VPE that the Asserted Patents are valid, enforceable, or infringed by VLI.

11. The signing of the Consent Order Stipulation does not constitute an admission by VLI that an unfair act has been committed.

12. There are no agreements, written or oral, express or implied, between the parties concerning the subject matter of this investigation.

NOW, THEREFORE, the Commission issues the following Consent Order:

1. Upon entry of this Consent Order, VLI shall not sell for importation, import into the United States, or sell or offer for sale in the United States after importation, or knowingly aid, abet, encourage, participate in, or induce importation into the United States, the sale for importation into the United States, or the sale, offer for sale, or use in the United States after importation LED photographic lighting devices and components therefore that infringe any claim of the Asserted Patents until the expiration, invalidation, and/or a finding of unenforceability of the claims of the Asserted Patents or until VLI's products are found not to infringe or are licensed.

2. VLI shall be precluded from seeking judicial review or otherwise challenge or contest the validity of the Consent Order, subject to Sections 5 and 6, below.
3. VLI shall cooperate with and will not seek to impede by litigation or other means the Commission's efforts to gather information under subpart I of the Commission's Rules, 19 C.F.R. Part 210.
4. VLI shall not seek to challenge the validity or enforceability of the Asserted Patents in any administrative or judicial proceeding to enforce the Consent Order, but shall be entitled to do so in any other proceeding.
5. When the Asserted Patents have expired or been found or adjudicated invalid or unenforceable by the Commission or a court or agency of competent jurisdiction, provided that such finding or judgment has become final and nonreviewable, this Order shall become null and void.
6. There are no agreements, written or oral, express or implied, between VLI and Complainant concerning the subject matter of this investigation.

7. The entry of this Consent Order does not constitute an admission by VLI that the Asserted Patents are valid, enforceable, or infringed by VLI.
8. The entry of this Consent Order does not constitute an admission by VLI that an unfair act has been committed.
9. This Investigation is hereby terminated as to VLI and VLI is hereby dismissed as a named respondent in this Investigation; provided, however, that enforcement, modification, or revocation of the Consent Order shall be carried out pursuant to Subpart I of the Commission's Rules, 19 C.F.R. Part 210.

By order of the Commission.

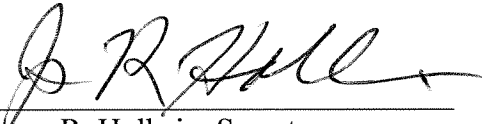


James R. Holbein
Secretary to the Commission

Issued: December 2, 2011

PUBLIC CERTIFICATE OF SERVICE

I, James R. Holbein, hereby certify that the attached **NOTICE** has been served by hand upon, the Commission Investigative Attorney, Mareesa A. Frederick, Esq., and the following parties as indicated on **December 2, 2011**.



James R. Holbein, Secretary
U.S. International Trade Commission
500 E Street, SW, Room 112
Washington, DC 20436

**On Behalf of Complainants Lightpanels, Ltd. and
Litepanels, Inc.:**

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On Behalf of Respondent Elation Lighting, Inc.:

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**On Behalf of Respondent Flight, LLC, Prompter People,
Inc., IKAN Corporation and Advanced Business
Computer Services, LLC (d/b/a Cool Lights USA):**

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Certificate of Service – Page 2

On Behalf of Fotodiox Inc., Yuyao Lishuai Photo-Facility Co., Ltd., Yuyao Fotodiox Photo Equipment Co., Ltd. and Yuyao Lily Collection Co., Ltd.:

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On Behalf of Visio Light, Inc:

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Atlanta, Georgia 30326

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On Behalf of Respondents Fuzhou F&V Photographic Equipment Co., Ltd. and Shantou Nanguang Photographic Equipment Co., Ltd.:

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Respondents:

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