

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

In the Matter of

**CERTAIN LED LIGHTING DEVICES,
LED POWER SUPPLIES, AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1081

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN
INITIAL DETERMINATION FINDING RESPONDENT
MSI LIGHTING IN DEFAULT**

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. 20) issued by the presiding administrative law judge (“ALJ”).

FOR FURTHER INFORMATION CONTACT: Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436, telephone (202) 708-5468. 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, SW., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<https://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://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 November 8, 2017, based on a complaint filed by Phillips Lighting North America Corp. of Somerset, New Jersey, and Phillips Lighting Holding B.V. of Eindhoven, Netherlands (together, “Phillips”). 82 FR 51872. The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 (“section 337”), in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain LED lighting devices, LED power supplies, and components thereof that infringe certain claims of U.S. Patent Nos. 6,586,890; 7,038,399; 7,256,554; 7,262,559; and 8,070,328. *Id.* The Commission’s notice of investigation named as respondents Feit Electric Company, Inc., of Pico Rivera, California; Edgewell

Personal Care Brands, LLC of Shelton, Connecticut; Feit Electric Company, Inc. (China) of Xiamen, China; Lowe's Companies of Mooresville, North Carolina; L G Sourcing of North Wilkesboro, North Carolina; MSi Lighting, Inc. of Boca Raton, Florida ("MSi Lighting"); Satco Products, Inc. of Brentwood, New York; Topaz Lighting Corp. of Holtsville, New York; Wangs Alliance Corporation d/b/a WAC Lighting Co. of Port Washington, New York; and WAC Lighting (Shanghai) Co. Ltd., of Shanghai, China. *Id.* The Office of Unfair Import Investigations is not participating in this investigation. *Id.*

Phillips served MSi Lighting with the complaint and notice of investigation on December 4, 2017. On January 8, 2018, Phillips moved for the ALJ to order MSi Lighting to show cause why it should not be found in default for failing to respond to the complaint and notice of investigation, and to find MSi Lighting in default if it failed to provide an adequate reason for its failure.

On January 10, 2018, the ALJ granted the motion and ordered MSi Lighting to show cause why it should not be found in default. Order No. 10 (Jan. 10, 2018). MSi Lighting did not respond to the complaint, the notice of investigation, or the show cause order.

On January 31, 2018, the ALJ issued the subject ID, finding MSi Lighting in default for failing to respond to the complaint, the notice of investigation, and the show cause order. No petitions for review of the ID were received.

The Commission has determined not to review the subject 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 part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: February 26, 2018