

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

**In the Matter of**

**CERTAIN SHINGLED SOLAR MODULES,  
COMPONENTS THEREOF, AND  
METHODS FOR MANUFACTURING THE  
SAME**

**Investigation No. 337-TA-1223**

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION GRANTING COMPLAINANT’S UNOPPOSED MOTION TO  
TERMINATE THE INVESTIGATION AS TO CERTAIN PATENT CLAIMS**

**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. 13) of the presiding administrative law judge (“ALJ”) granting complainant’s unopposed motion to terminate the investigation as to certain patent claims.

**FOR FURTHER INFORMATION CONTACT:** Richard P. Hadorn, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3179. 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](mailto: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, telephone (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** On October 21, 2020, the Commission instituted this investigation based on a complaint filed by The Solaria Corporation (“Solaria”) of Fremont, California. 85 FR 67010-11 (Oct. 21, 2020). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), based on the importation into the United States, the sale for importation, or the sale within the United States after importation of certain shingled solar modules, components thereof, and methods for manufacturing the same by reason of infringement of certain claims of U.S. Patent Nos. 10,522,707 (“the ’707 patent”); 10,651,333 (“the ’333 patent”); and 10,763,388 (“the ’388 patent”). *Id.* at 67011. The complaint further alleges that a domestic industry exists. *Id.* The

notice of investigation named two respondents: Canadian Solar Inc. of Guelph, Ontario, Canada and Canadian Solar (USA) Inc. of Walnut Creek, California (collectively, “Canadian Solar”). *Id.* The Office of Unfair Import Investigations is not named as a party. *Id.*

On July 15, 2021, the Commission determined to terminate the investigation as to the ’707 patent based on Solaria’s withdrawal of the allegations in the complaint as to that patent. Order No. 9 (June 28, 2021), *unreviewed by Comm’n Notice* (July 15, 2021).

On September 13, 2021, Solaria filed an unopposed motion for partial termination of the investigation based on withdrawal of the allegations in the complaint as to (i) claims 18-20 of the ’333 patent and (ii) claims 6, 7, and 10 of the ’388 patent. *See Mot.* at 1. Canadian Solar did not file a response to the motion.

On September 14, 2021, the ALJ issued the subject ID granting the motion. The ID finds that the motion complies with the requirements of Commission Rule 210.21(a)(1) (19 CFR 210.21(a)(1)) and that “there are no extraordinary circumstances that warrant denying the motion.” ID at 2. No petitions for review of the subject ID were filed.

The Commission has determined not to review the subject ID. The investigation is terminated as to (i) claims 18-20 of the ’333 patent and (ii) claims 6, 7, and 10 of the ’388 patent.

The Commission vote for this determination took place on October 13, 2021.

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: October 13, 2021