

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

**In the Matter of**

**CERTAIN SILICON PHOTOVOLTAIC  
CELLS AND MODULES WITH  
NANOSTRUCTURES, AND PRODUCTS  
CONTAINING THE SAME**

**Investigation No. 337-TA-1271**

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION PARTIALLY TERMINATING THE INVESTIGATION**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined not to review an initial determination (“ID”) (Order No. 12) of the presiding administrative law judge (“ALJ”), partially terminating the investigation based on the withdrawal of allegations in the complaint as to U.S. Patent No. 10,269,995 (“the ’995 patent”) in its entirety and as to claims 17 and 25 of U.S. Patent No. 8,450,599 (“the ’599 patent”); claims 1, 2, and 26, of U.S. Patent No. 8,852,981 (“the ’981 patent”); claims 14 and 16–18 of U.S. Patent No. 9,601,640 (“the ’640 patent”); and claims 2 and 10 of U.S. Patent No. 9,768,331 (“the ’331 patent”).

**FOR FURTHER INFORMATION CONTACT:** Ronald A. Traud, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3427. 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 on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on July 20, 2021, based on a complaint filed on behalf of Advanced Silicon Group Technologies, LLC of Lowell, Massachusetts (“ASGT”). 86 FR 38356 (July 20, 2021). The complaint alleged a violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain silicon photovoltaic cells and modules with nanostructures, and products containing the same by reason of infringement of certain claims of the ’995, ’599, ’981, ’640, ’331 patents and U.S. Patent No. 10,692,971. *Id.* at 38357. The complaint further alleged

that an industry in the United States exists as required by section 337. *Id.* The complaint named numerous respondents, and the Office of Unfair Import Investigations was named as a party in this investigation. *Id.*

On March 29, 2022, ASGT filed two unopposed motions to partially terminate this investigation. The first sought termination of the investigation as to the '995 patent in its entirety based on the withdrawal of the complaint as to that patent. The second sought termination of the investigation as to claims 17 and 25 of the '599 patent, claims 1, 2, and 26, of the '981 patent, claims 14 and 16–18 of the '640 patent, and claims 2 and 10 of the '331 patent, based on the withdrawal of the complaint as to the claims of those patents.

On May 31, 2022, the ALJ issued Order No. 12, the subject ID, which granted both motions. The subject ID found that the respective motions complied with the Commission's rules and that no extraordinary circumstances warranted denying either motion.

No petitions for review of the subject ID was filed.

The Commission has determined not to review the subject ID.

The following claims are hereby terminated from the investigation: all claims of the '995 patent, claims 17 and 25 of the '599 patent, claims 1, 2, and 26, of the '981 patent, claims 14 and 16–18 of the '640 patent, and claims 2 and 10 of the '331 patent.

The Commission vote for this determination took place on June 21, 2022.

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: June 21, 2022