

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

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

Investigation No. 337-TA-1261

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION FINDING RESPONDENTS
DAUER MANUFACTURING CORP. AND FUSA CORP. IN DEFAULT**

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. 14) of the presiding administrative law judge (“ALJ”), finding Dauer Manufacturing Corp. and FUSA Corp. in default.

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. 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 April 13, 2021, based on a complaint, as supplemented, filed on behalf of Wangs Alliance Corporation, d/b/a WAC Lighting (“WAC”). 86 FR 19282 (Apr. 13, 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 LED landscape lighting devices and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 10,571,101 and 10,920,971. *Id.* The complaint further alleged that an industry in the United States exists as required by section 337. *Id.* The Commission named seven respondents: Dauer Manufacturing Corp. of Medley, Florida (“Dauer”); FUSA Corp. of Medley, Florida (“FUSA”); cBright Lighting, Inc. of San Leandro, California; CAST Lighting LLC of Hawthorne, New Jersey;

Shenzhen Wanjia Lighting Co., Ltd. d/b/a WONKA of Shenzhen, China; Lumien Enterprise, Inc. d/b/a Lumien Lighting of Acworth, Georgia; and Jiangsu Sur Lighting Co., Ltd. of Jiangsu Province, China. *Id.* The Office of Unfair Import Investigations is not named as a party in this investigation. *Id.*

Complainant WAC submitted proof that Dauer and FUSA were served with the Complaint and Notice of Investigation (“NOI”) on April 12, 2021. On June 17, 2021, WAC moved for an order to show cause why respondents Dauer and FUSA should not be found in default for their failure to respond to the Complaint and NOI and to participate in discovery. On July 8, 2021, and pursuant to Commission Rule 210.16 (19 CFR 210.16), the ALJ issued the requested order in Order No. 12. Dauer and FUSA did not respond to Order No. 12 and have not responded to the Complaint and NOI.

On August 4, 2021, the ALJ issued Order No. 14, the subject ID, finding Dauer and FUSA in default under Commission Rule 210.16 (19 CFR 210.16). No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID. Accordingly, the Commission finds Dauer and FUSA in default.

The Commission vote for this determination took place on August 18, 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).

While temporary remote operating procedures are in place in response to COVID-19, the Office of the Secretary is not able to serve parties that have not retained counsel or otherwise provided a point of contact for electronic service. Accordingly, pursuant to Commission Rules 201.16(a) and 210.7(a)(1) (19 CFR 201.16(a), 210.7(a)(1)), the Commission orders that the Complainant(s) complete service for any party/parties without a method of electronic service noted on the attached Certificate of Service and shall file proof of service on the Electronic Document Information System (EDIS).

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: August 18, 2021