

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

In the Matter of

**CERTAIN PHOTOVOLTAIC
CONNECTORS AND COMPONENTS
THEREOF**

Investigation No. 337-TA-1365

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION
AS TO U.S. PATENT NO. 10,992,254**

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. 19) issued by the presiding administrative law judge (“ALJ”) terminating this investigation as to all asserted claims of U.S. Patent No. 10,992,254 (“the ’254 Patent”).

FOR FURTHER INFORMATION CONTACT: Paul Lall, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2043. 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, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: On June 9, 2023, the Commission instituted this investigation based on a complaint filed by Shoals Technologies Group, LLC (“Shoals Technologies”). 88 FR 37905-06 (June 9, 2023). The complaint alleges violations 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, or sale within the United States after importation of certain photovoltaic connectors and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 10,553,739 (“the ’739 Patent”) and the ’254 Patent. The Commission’s notice of investigation (“NOI”) named the following eight respondents: 1) Hikam America, Inc. of Chula Vista, CA; 2) Hikam Electrónica de México, S.A. de C.V. of Mexicali, Mexico; 3) Hikam Tecnología de Sinaloa of Guasave, Mexico; 4) Hewtech Philippines Corp. of Laguna, Philippines; 5) Hewtech Philippines Electronics Corp. of Pampanga, Philippines; 6) Hewtech (Shenzhen) Electronics Co., Ltd. of Shenzhen, China; 7) Voltage, LLC of Chapel Hill,

North Carolina; and 8) Ningbo Voltage Smart Production Co. (“Ningbo Voltage”) of Ningbo, China. *Id.* The Office of Unfair Import Investigations was also named as a party in this investigation. *Id.*

On August 15, 2023, the Commission amended the complaint and NOI to add allegations of infringement against respondents Voltage, LLC and Ningbo Voltage related to claims 1, 2-3, 6, 8, 11-18, 21, 23, and 24 of U.S. Patent No. 11,689,153 (“the ’153 patent”). *See* Order No. 5 (Jul. 18, 2023), *unreviewed by* Comm’n Notice (Aug. 15, 2023).

On March 11, 2024, the Commission terminated a number of claims from this investigation based on Shoals Technologies’ withdrawal of the complaint as to those claims. *See* Order No. 15 (Feb. 9, 2024), *unreviewed by* Comm’n Notice (March 11, 2024).

On February 26, 2024, Shoals Technologies filed an unopposed motion to terminate the investigation with respect to all asserted claims of the ’254 patent (“Motion”) based on withdrawal of the complaint as to those claims.

On February 28, 2024, the presiding ALJ issued the subject ID (Order No. 19) granting Shoals Technologies’ Motion pursuant to Commission Rule 210.21(a) (19 CFR 210.21(a)). The ID finds that the Motion states that termination of the withdrawn claims “will streamline the Investigation and will conserve judicial and private party resources, because the parties would not need to address issues related to infringement or invalidity of that patent going forward and at the upcoming evidentiary hearing.” ID at 2. The ID also finds that “there are no agreements, written or oral, or express or implied between the parties concerning the subject matter of the Investigation” and “there are no extraordinary circumstances that prevent terminating the withdrawn patent from this investigation.” *Id.*

No party filed a petition for review of the subject ID.

The Commission has determined not to review the subject ID. The ’254 patent is hereby terminated in its entirety from this investigation.

The Commission vote for this determination took place on March 25, 2024.

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: March 26, 2024