



7020-02

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1055]

### **Certain Mirrors with Internal Illumination and Components Thereof; Institution of Investigation**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on March 8, 2017, under section 337 of the Tariff Act of 1930, as amended, on behalf of Electric Mirror, LLC of Everett, Washington and Kelvin 42 LLC of Pensacola, Florida. A supplement was filed on March 24, 2017, and an amended complaint was filed on April 21, 2017. The complaint, as amended, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain mirrors with internal illumination and components thereof by reason of infringement of certain claims of U.S. Patent No. 7,853,414 (“the ’414 patent”) and U.S. Patent No. 7,559,668 (“the ’668 patent”). The amended complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute.

The complainants request that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

**ADDRESSES:** The complaint, except for any confidential information contained therein, is 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, S.W., Room 112, Washington,

D.C. 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <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>.

**FOR FURTHER INFORMATION CONTACT:** The Office of the Secretary, Docket Services Division, U.S. International Trade Commission, telephone (202) 205-1802.

**Authority:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2017).

**Scope of Investigation:** Having considered the complaint, the U.S. International Trade Commission, on May 1, 2017, **ORDERED THAT** –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain mirrors with internal illumination and components thereof by reason of infringement of one or more of claims 4, 9, 14, and 18 of the '414 patent and claims 1-6, 8, and 14-16 of the '668 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are:

Electric Mirror, LLC

6101 Associated Boulevard

Everett, WA 98203

Kelvin 42 LLC

38 South Blue Angel Parkway #176

Pensacola, FL 32506

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Lumidesign Inc.

55 West Beaver Creek Road, Unit 34

Richmond Hill, Ontario L4B 1K5

Canada

Majestic Mirrors & Frame, LLC

7425 NW 79<sup>th</sup> Street

Miami, FL 33166

Project Light, LLC

(d/b/a Project Light, Inc.,

Prospetto Light, LLC and/or

Prospetto Lighting, LLC)

4976 Hudson Drive

The Office of Unfair Import Investigations will not participate as a party in this investigation.

(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Dated: May 2, 2017.

**Lisa R. Barton,**

*Secretary to the Commission.*

[FR Doc. 2017-09205 Filed: 5/5/2017 8:45 am; Publication Date: 5/8/2017]