

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of)
)
CERTAIN LIGHT EMITTING DIODE)
CHIPS, LASER DIODE CHIPS AND)
PRODUCTS CONTAINING SAME)

Investigation No. 337-TA-674

RECEIVED
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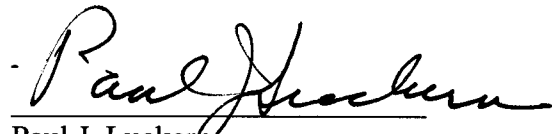
Order No. 18: Initial Determination Finding Respondent Toyolite In Default

Order No. 7, which issued on June 10, 2009, ordered respondent Toyolite Technologies Corp. (Toyolite) to show cause, no later than July 6, 2009, why it should not be found in default, pursuant to Commission rule 210.16(a)(1) for failure to provide an adequate response to the complaint and notice of investigation. Toyolite responded to Order No. 7 in a letter dated June 23, 2009. However, James R. Holbein, Supervisory Attorney, Docket Services, on June 25, 2009, notified Toyolite that said letter did not comply with the procedural requirements set forth in the Code of Federal Regulations for filing of documents with the U.S. International Trade Commission (see attachment to this order). No further communication from Toyolite to the Secretary has been received.

Based on the foregoing, Toyolite is found in default, pursuant to Commission rule 210.16(a)(1), for failure to provide an adequate response to the complaint and notice of investigation.

This initial determination, pursuant to Commission rule 210.42(c), is hereby CERTIFIED to the Commission. Pursuant to Commission rule 210.42(h)(3), this initial determination shall become the determination of the Commission within thirty (30) days after the date of service hereof unless the Commission grants a petition for review of this initial determination pursuant

to Commission rule 210.43, or orders on its own motion a review of the initial determination or certain issues therein pursuant to Commission rule 210.44.


Paul J. Luckert
Chief Administrative Law Judge

Issued: September 10, 2009

ATTACHMENT

Hall, Robert

From: Holbein, James
Sent: Thursday, June 25, 2009 12:01 PM
To: hankshao@ms13.hinet.net
Cc: Rohrbach, Jennifer; Abbott, Marilyn R.; Hall, Robert
Subject: Filing Documents with the USITC

Dear Mr. Shao,

The Docket Services Office is in receipt of your letter concerning Chief Administrative Law Judge Luckern's Order No. 7. Unfortunately, this document does not comply with the procedural requirements set forth in the Code of Federal Regulations for filing of documents with the U.S. International Trade Commission (USITC). As indicated in the e-mail sent to you on April 30, 2009, by Ms. Jennifer Rohrbach, Chief Judge Luckern's case manager, the USITC requires filings to meet specific procedural guidelines in order to become part of the Official Record of an investigation under Section 337.

Your letter must meet the following minimum requirements in order to be accepted:

- Submission of the original document signed by you as the filing party + 6 copies of that document to the Honorable Marilyn R. Abbott, Secretary
- Service of the document on all parties involved in the investigation
- A signed certificate of service to certify that you have served all parties involved in the investigation

Therefore, this letter and any other documents that you want to be accepted and considered a part of the Official Record must comply with our minimum filing requirements. You may re-submit and re-serve the document so that it complies with the above-referenced guidelines. At this time, we are not able to consider what you have submitted officially filed.

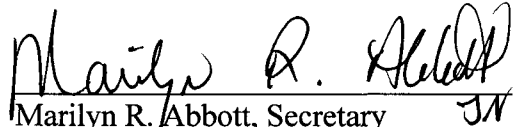
Regards,

James R. Holbein
Supervisory Attorney, Docket Services
U.S. International Trade Commission
500 E Street, SW, Suite 112A
Washington, DC 20436
Tel: 202-205-1873

9/10/2009

PUBLIC CERTIFICATE OF SERVICE

I, Marilyn R. Abbott, hereby certify that the attached **Initial Determination** has been served by hand upon the Commission Investigative Attorney, Juan Cockburn, Esq., and the following parties as indicated, on September 10, 2009.


Marilyn R. Abbott, Secretary *JRC*
U.S. International Trade Commission
500 E Street, SW
Washington, DC 20436

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CERTAIN LIGHT EMITTING DIODE CHIPS, LASER DIODE
CHIPS AND PRODUCTS CONTAINING SAME

Inv. No. 337-TA-674

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CERTAIN LIGHT EMITTING DIODE CHIPS, LASER DIODE
CHIPS AND PRODUCTS CONTAINING SAME

Inv. No. 337-TA-674

**FOR RESPONDENT DALIAN LUMEI
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CERTAIN LIGHT EMITTING DIODE CHIPS, LASER DIODE
CHIPS AND PRODUCTS CONTAINING SAME

Inv. No. 337-TA-674

RESPONDENTS:

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- Via First Class Mail
- Other: _____

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Hsien, Taiwan

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