

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, DC**

In the Matter of)
)
)

CERTAIN LED PHOTOGRAPHIC LIGHTING)
DEVICES AND COMPONENTS THEREOF)
)

Investigation No.

337-TA-____

**VERIFIED COMPLAINT UNDER SECTION 337
OF THE TARIFF ACT OF 1930, AS AMENDED**

Complainant:

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9. Certified copy of U.S. Patent No. 7,429,117
10. Confidential – Agreement ‘117 Patent Rights August 26, 2008
11. Certified copy of U.S. Patent No. 7,318,652
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79. Certified Assignment US Patent 6,948,823

APPENDICES

- A. One certified and three additional copies of the U.S. Patent and Trademark Office prosecution history for U.S. Patent No. 7,972,022
- B. Copies of each patent and applicable pages of each technical reference mentioned in the prosecution history for U.S. Patent No. 7,972,022
- C. One certified and three additional copies of the U.S. Patent and Trademark Office prosecution history for U.S. Patent No. 7,510,290
- D. Copies of each patent and applicable pages of each technical reference mentioned in the prosecution history for U.S. Patent No. 7,510,290
- E. One certified and three additional copies of the U.S. Patent and Trademark Office prosecution history for U.S. Patent No. 7,429,117
- F. Copies of each patent and applicable pages of each technical reference mentioned in the prosecution history for U.S. Patent No. 7,429,117

- G. One certified and three additional copies of the U.S. Patent and Trademark Office prosecution history for U.S. Patent No. 7,318,652
- H. Copies of each patent and applicable pages of each technical reference mentioned in the prosecution history for U.S. Patent No. 7,318,652
- I. One certified and three additional copies of the U.S. Patent and Trademark Office prosecution history for U.S. Patent No. 6,948,823
- J. Copies of each patent and applicable pages of each technical reference mentioned in the prosecution history for U.S. Patent No. 6,948,823

I. INTRODUCTION

1. This Complaint is filed by Litepanels, Inc. and Litepanels Ltd. (together “Litepanels” or “Complainant”) pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 (“Section 337”).

2. Litepanels brings this action to remedy violations of Section 337 arising from the unlawful and unauthorized importation into the United States, the sale for importation, and/or the sale within the United States after importation of certain LED photographic lighting devices, components thereof, and products containing same (“Accused Products”) that directly infringe, contributorily infringe, and/or induce the infringement of one or more claims of United States Patent Nos. 7,972,022; 7,510,290; 7,429,117; 7,318,652; and 6,948,823 (together, “Asserted Patents”).

3. The Asserted Patents are assigned to Litepanels Ltd., and exclusively licensed to Litepanels Inc.

4. Litepanels, Inc. is the leading designer and manufacturer of high quality, light emitting diode-based (“LED”) lighting systems that have become staples of the United States motion picture, television, and still photography industries. Litepanels, Inc.’s Emmy Award winning products, including its 1x1 and Micro series lighting systems, have revolutionized film, video, and still photography lighting practices, and enjoy tremendous commercial success among both amateur users and lighting professionals. (See Emmy Letter (attached as Exhibit 1).) Today, Litepanels, Inc.’s products are used to light a host of popular television programs, including *CBS Evening News*, the FOX Network’s television series *24*, and *Desperate Housewives*. Litepanels, Inc.’s lighting systems are also permanently installed in both the White House and Pentagon press briefing rooms, and are used to light the President and other

government officials during nationally broadcasted press conferences. (*See* White House Briefing (attached as Exhibit 2).)

5. Litepanels, Inc.'s record of developing and launching technically innovative and commercially successful products stems from its ongoing commitment to research, development, and quality manufacturing processes. Throughout its history, Litepanels, Inc. has made substantial investments to research, develop, and manufacture high quality LED photographic lighting systems, including its 1x1 and Micro series product lines. Litepanels acts diligently and aggressively to secure protection for the fruits of its ongoing investments. Litepanels has more than twenty-two issued and/or pending United States and international patents and applications, and has already been awarded more than ten United States patents for inventions developed at Litepanels, Inc.

6. As the popularity and goodwill associated with Litepanels-branded lighting systems has grown, so too has the number of foreign and U.S.-based operations that try to capitalize on Litepanels' investments. Litepanels has encountered numerous "knock-off" and other low-quality variations of Litepanels, Inc.'s products in the U.S. marketplace. (*See* Declaration of Kenneth Fisher (attached as Confidential Exhibit 3 ("Fisher Decl.") at ¶ 6.) In many instances, the origin of such products is unknown. (Fisher Decl. at ¶ 6.) In others, companies offering the products evade Litepanels' enforcement efforts by changing names and/or corporate structure. (Fisher Decl. at ¶ 13.)

7. On information and belief, each proposed respondent currently imports into the United States, sells for importation into the United States, and/or sells in the United States after importation certain LED photographic lighting devices and components thereof that

incorporate, without license, many inventions developed by Litepanels, Inc. and protected by one or more of the Asserted Patents.

8. Litepanels asserts that the Accused Products practice at least the following claims of one or more Asserted Patents:

PATENT	ASSERTED CLAIMS
7,972,022	1, 57, 58, 59, 60
7,510,290	9-26, 47, 51, 53-60, 62
7,429,117	1-2, 5-13, 17-25, 28-35, 38-43, 45-47, 50
7,318,652	1-2, 5, 7, 10-11, 15-22, 24-34, 37
6,948,823	17-21, 23-29, 85-88, 90-93

The following is a chart showing which claims Litepanels is asserting against each respondent:

Asserted Claim	Prompter/ FloLight	IKAN	Cool Lights	Elation	F&V	Fotodiox	Stellar
022 Patent, Claim 1	X	X	X	X		X	
022 Patent, Claim 57			X	X		X	
022 Patent, Claim 58			X	X		X	
022 Patent, Claim 59			X	X		X	
022 Patent, Claim 60			X	X		X	
117 Patent, Claim 1	X	X			X		X
117 Patent, Claim 24	X	X			X		X
117 Patent, Claim 33		X					
117 Patent, Claim 43	X	X			X		
117 Patent, Claim 46	X	X					
117 Patent, Claim 47	X	X					
117 Patent, Claim 50	X	X					
290 Patent, Claim 9	X	X	X				
290 Patent, Claim 10	X	X					
290 Patent, Claim 11			X				
290 Patent, Claim 16	X	X					
290 Patent, Claim 18	X	X					
290 Patent, Claim 19	X						
290 Patent, Claim 20	X						
290 Patent, Claim 21	X						
290 Patent, Claim 23	X	X					
290 Patent, Claim 24	X						
290 Patent, Claim 25		X					
652 Patent, Claim 1	X	X	X	X	X	X	
652 Patent, Claim 2					X		
652 Patent, Claim 5					X		

Asserted Claim	Prompter/ FloLight	IKAN	Cool Lights	Elation	F&V	Fotodiox	Stellar
652 Patent, Claim 7					X		
652 Patent, Claim 10					X		
652 Patent, Claim 11					X		
652 Patent, Claim 15					X		
652 Patent, Claim 16	X	X	X	X	X	X	
652 Patent, Claim 18					X		
652 Patent, Claim 19					X		
652 Patent, Claim 21					X		
652 Patent, Claim 22	X	X	X	X	X	X	
652 Patent, Claim 25					X		
652 Patent, Claim 27					X		
652 Patent, Claim 31					X		
652 Patent, Claim 32					X		
652 Patent, Claim 33					X		
823 Patent, Claim 17	X	X			X		X
823 Patent, Claim 18					X		
823 Patent, Claim 19	X	X			X		X
823 Patent, Claim 21					X		
823 Patent, Claim 23					X		
823 Patent, Claim 25					X		
823 Patent, Claim 26					X		
823 Patent, Claim 27					X		
823 Patent, Claim 28	X	X			X		X
823 Patent, Claim 85	X	X			X		X
823 Patent, Claim 86					X		
823 Patent, Claim 87					X		
823 Patent, Claim 88					X		
823 Patent, Claim 90					X		
823 Patent, Claim 92					X		
823 Patent, Claim 93					X		

As discussed below, the manufacturing respondents are accused of infringing the same claims as the Respondents they supply.

9. Litepanels seeks a general exclusion order under 19 U.S.C. § 1337(d), excluding from entry into the United States all LED photographic lighting devices and components thereof that infringe one or more claims of the Asserted Patents.

10. In the alternative, Litepanels seeks a permanent limited exclusion order under 19 U.S.C. § 1337(d), excluding from entry into the United States all LED photographic lighting devices and components thereof that are manufactured, imported, or sold by or on behalf of the proposed respondents, their affiliates, subsidiaries, successors, or assigns, that infringe one or more claims of the Asserted Patents.

11. Litepanels further seeks a permanent cease and desist order prohibiting the proposed respondents from marketing, distributing, selling, offering for sale, warehousing inventory for distribution, or otherwise transferring or bringing into the United States infringing LED photographic lighting devices or components thereof.

II. THE PARTIES

A. Litepanels

12. Litepanels Inc. is a Delaware corporation with corporate offices located at 16152 Saticoy Street, Van Nuys, California 91406. (Declaration of Michael Shreeve (attached as Confidential Exhibit 4 (“Shreeve Decl.”) at ¶ 3.) Litepanels Ltd. is a limited company organized and existing under the laws of the United Kingdom and Wales with its corporate offices located at One Wheatfield Way, Kingston upon Thames, Surrey, U.K. (Shreeve Decl. at ¶ 3.)

13. Litepanels Ltd. is the owner by assignment of all, right, title, and interest in each Asserted Patent. Litepanels Inc. is the exclusive licensee of each Asserted Patent. (Shreeve Decl. at ¶¶ 4-7.)

14. Litepanels Inc. designs and manufactures high quality LED-based lighting systems for the film, video, and still photography industries. Litepanels is recognized as an innovator in the field of lighting equipment and related accessories. Beginning with the 2003 release of its “Mini” series products, the first commercial LED-based lighting systems specifically designed for motion picture, video, and still photography applications, Litepanels has

maintained a record of designing and manufacturing innovative, award-winning lighting solutions. In 2009, Litepanels received an Emmy Award for its innovative work in broadcast lighting technology. (Exhibit 1; *see also* Shreeve Decl. at ¶ 11.) Recently, Litepanels, Inc. launched its 1x1 Bi-Color series lighting products, the first professional lighting solution to utilize both 3200°K and 5600°K LEDs in a single housing. Litepanels, Inc. sells its products worldwide through a large network of distributors and lighting retailers.

B. The Proposed Respondents

15. Litepanels alleges the following on information and belief:

16. Proposed Respondent Advanced Business Computer Services, LLC d/b/a/ Cool Lights USA (“Cool Lights”) is a Texas limited liability with corporate offices located at 448 West 19th Street #316, Houston, Texas 77008. Cool Lights imports LED photographic lighting devices and related components that are manufactured in China, and sells those products within the United States after importation.

17. Proposed Respondent Elation Lighting, Inc. (“Elation”) is a Nevada corporation have corporate offices located at 6122 S. Eastern Avenue, Los Angeles, CA 90040. Elation imports LED photographic lighting devices and related components that are manufactured in China, and sells those products within the United States after importation.

18. Proposed Respondents FloLight, LLC (“FloLight”) is a California limited liability company having registered corporate offices at 64 West Santa Clara Street, San Jose, California 95113. Proposed Respondent Prompter People, Inc. (“Prompter People”) is a California corporation with corporate offices located at 126 Dillon Avenue, Campbell, California 95008. On information and belief, Prompter People is related to proposed respondent FloLight. FloLight was apparently formed by Prompter People, Inc. after Litepanels asserted its patents against Prompter People, Inc. in the Eastern District of Texas. On information and belief

FloLight was formed by Prompter People Inc., as part of an effort by Prompter People, Inc. to defeat personal jurisdiction in the Eastern District of Texas. Prompter People and/or FloLight (collectively “Prompter/FloLight”) import into the United States, sell for importation into the United States, and/or sell in the United States after importation FloLight-branded LED photographic lighting devices and components thereof.

19. Proposed Respondent Fotodiox, Inc. (“Fotodiox USA”) is an Illinois corporation with corporate offices located at 91 Noll Street, Waukegan, Illinois 60085. Fotodiox USA offers a host of professional photography and videography supplies, including LED-based lighting devices and related components. Fotodiox USA imports into the United States, sells for importation into the United States, and/or sells in the United States after importation various LED photographic lighting devices and components thereof that are made in China.

20. Proposed Respondent Fuzhou F&V Photographic Equipment Co., Ltd. (“F&V”) is a corporation organized and existing under the laws of the People’s Republic of China with its principal place of business located at C Building, No. 71 Fuguang Road, Fuxing Industrial Development Zone, Fuzhou City, Fujian, 350015, China. F&V manufactures LED photographic lighting devices and related components in China. F&V and others import those products into the United States, sell those products for importation into the United States, and/or sell those products in the United States after importation.

21. Proposed Respondent IKAN Corporation (“IKAN”) is a Texas corporation with corporate offices located at 3903 Stoney Brook Drive, Houston, Texas 77063. IKAN manufactures, offers for sale, sells, and supports an assortment of LED photographic lighting devices and components thereof. IKAN’s LED-based photographic lights are manufactured overseas, including in China and Taiwan. IKAN imports LED photographic lighting devices

into the United States, sells those products for importation into the United States, and/or sells those products within the United States after importation through a variety of retail partners.

22. Proposed Respondent Shantou Nanguang Photographic Equipment Co., Ltd. (“Shantou”) is a corporation organized and existing under the laws of the People’s Republic of China having its principal offices located at Wenhua Road R1706, Hualian Building, Dongli Chenghai District, Shantou City, Guangdong Province 515829, R.O.C. Shantou manufactures LED photographic lighting devices and components thereof in China. Shantou and others then import those products into the United States, sell those products for importation into the United States, and/or sell those products within the United States after importation.

23. Proposed Respondent Stellar Lighting Systems (“Stellar”) is a California corporation with corporate offices located at 1500 Los Angeles St. #4, Los Angeles, CA 90015. Stellar markets, offers for sale, and sells, in the United States, and imports into the United States LED photographic lighting devices and components thereof that are manufactured outside of the United States.

24. Proposed Respondent Tianjin Wuqing Huanyu Film and TV Equipment Factory (“Huanyu”) is a corporation organized and existing under the laws of the People’s Republic of China having its corporate offices located at Liudaokou Village, Chagugang Town, Wuqing, Tianjin, R.O.C. 301700. Huanyu manufactures LED photographic lighting devices and components thereof in China. Shantou and others then import those products into the United States, sell those products for importation into the United States, and/or sell those products within the United States after importation.

25. Proposed Respondent Yuyao Fotodiox Photo Equipment Co., Ltd. (“Fotodiox China”) is a corporation organized and existing under the laws of the People’s

Republic of China having corporate offices located at No. 31 Rongchuang Road, Lizhou Industrial Zone, Lizhou District, Yuyao City, Zhejiang Province, R.O.C. Fotodiox China manufactures LED photographic lighting devices and components thereof in China. Fotodiox China and others then import Fotodiox China's LED photographic lighting devices and components thereof into the United States, sell those products for importation into the United States, and/or sell those products within the United States after importation.

26. Proposed Respondent Yuyao Lishuai Photo-Facility Co., Ltd. ("Lishuai") is a corporation organized and existing under the laws of the People's Republic of China. Lishuai is located in the same building as Fotodiox China at No. 31 Rongchuang Road, Lizhou Industrial Zone, Lizhou District, Yuyao City, Zhejiang Province, R.O.C. Lishuai manufactures LED photographic lighting devices and components thereof in China. Lishuai and others then import Lishuai LED photographic lighting devices into the United States, sell those products for importation into the United States, and/or sell those products within the United States after importation.

27. Proposed Respondent Visio Light, Inc. ("Visio") is a corporation organized and existing under the laws of Taiwan with its principal place of business located at 7F, No. 249, Jian 1st Road, Jhong He City Taipei, Taiwan. Visio manufactures LED photographic lighting devices and components thereof in Taiwan. Visio and others then import those products into the United States, sell those products for importation into the United States, and/or sell those products within the United States after importation.

28. Proposed Respondent Yuyao Lily Collection Co. ("Lily") is a shipper that is heavily involved with shipping infringing LED photographic devices from China to the United States. Lily's principal place of business is located at No.7 North Donghanmen Road Yuyao,

China 315400. Lily ships LED photographic lighting devices and components thereof from china to the United States. Others then sell those products within the United States after importation.

III. THE ASSERTED '022 PATENT

A. Ownership and Asserted Claims of the '022 Patent

29. The '022 Patent is entitled "Stand-Mounted Light Panel For Natural Illumination in Film, Television or Video" and issued July 5, 2011 to inventors Rudy Pohlert, Pat Grosswendt, Kevin Baxter, and Ken Fisher. The '022 Patent issued from United States Patent Application No. 12/414,641 filed on March 30, 2009, and is a continuation of United States Patent Application No. 10/238,973 filed on September 9, 2002, now United States Patent No. 6,948,823, which, in turn, is a continuation-in-part of United States Patent Application No. 09/949,206 filed on September 7, 2001, now United States Patent No. 6,749,310.

30. Litepanels Ltd. owns all rights, title, and interest to the '022 Patent. By the August 26, 2008 Patent License Agreement, Litepanels Ltd. conveyed to Litepanels Inc. an exclusive license to the '022 Patent. (*See* August 26, 2008 Patent License Agreement (attached as Confidential Exhibit 5).) As required by Commission Rules 210.12(a)(9)(i)-(ii), a copy of the '022 Patent and its assignment record are attached as Exhibit 6 and Exhibit 6B respectively. Because the '022 Patent issued very recently, there are no current available certified copies of the '022 Patent or its assignment records. Litepanels will replace Exhibit 6 with certified copies of these documents once they become available.

31. In accordance with Commission Rules 210.12(c)(1)-(2), Appendix A to this Complaint includes one certified (to be supplied once available) and three additional copies of the United States Patent and Trademark Office prosecution history for the '022 Patent.

Appendix B includes four copies of each patent and applicable pages of each technical reference mentioned in the prosecution history of the '022 Patent.

32. Litepanels asserts that certain of the Accused Products infringe at least claims 1, 57, 58, 59, and 60 of the '022 Patent.

B. Licenses Relating to the '022 Patent

33. Litepanels Inc. has sublicensed the '022 Patent. Shreeve Decl. at ¶ 43 sets forth further details regarding the '022 Patent's sublicenses.

C. Foreign Counterparts to the '022 Patent

34. In accordance with Commission Rule 210.12(a)(9)(v), Litepanels states that it is aware of no foreign counterparts issued, filed, abandoned, withdrawn, or rejected relating to the asserted '022 Patent.

IV. THE ASSERTED '290 PATENT

A. Ownership and Asserted Claims of the '290 Patent

35. The '290 Patent is entitled "Stand-Mounted Light Panel for Natural Illumination in Film, Television or Video," and issued March 31, 2009 to inventors Rudy Pohlert, Pat Grosswendt, Kevin Baxter, and Ken Fisher. The '290 Patent issued from United States Patent Application No. 11/308,004 filed on March 2, 2006, and is a continuation of United States Patent Application No. 10/005,564, which is a continuation-in-part of United States Patent Application No. 10/238,973 filed on September 9, 2002, now United States Patent No. 6,948,823, which, in turn, is a continuation-in-part of United States Patent Application No. 09/949,206 filed on September 7, 2001, now United States Patent No. 6,749,310.

36. Litepanels Ltd. owns all rights, title, and interest to the '290 Patent. (*See* Assignment of '290 Patent Rights (attached as Confidential Exhibit 10).) By the August 26, 2008 Patent License Agreement, Litepanels Ltd. conveyed to Litepanels Inc. an exclusive license

to the '290 Patent. (*See Confidential Exhibit 5.*) As required by Commission Rules 210.12(a)(9)(i)-(ii), certified copies of the '290 Patent and its assignment record are attached as Exhibits 7 and 8.

37. In accordance with Commission Rules 210.12(c)(1)-(2), Appendix C to this Complaint includes one certified and three additional copies of the United States Patent and Trademark Office prosecution history for the '290 Patent. Appendix D includes four copies of each patent and applicable pages of each technical reference mentioned in the prosecution history of the '290 Patent.

38. Litepanels asserts that certain of the Accused Products infringe at least claims 9-26, 47, 51, 53-60, 62 of the '290 Patent.

B. Licenses Relating to the '290 Patent

39. Litepanels Inc. has sublicensed the '290 Patent. Shreeve Decl. at ¶ 43 sets forth further details regarding the '290 Patent's sublicenses.

C. Foreign Counterparts to the '290 Patent

40. In accordance with Commission Rule 210.12(a)(9)(v), Litepanels states that it is aware of no foreign counterparts issued, filed, abandoned, withdrawn, or rejected relating to the asserted '290 Patent.

V. THE ASSERTED '117 PATENT

A. Ownership and Asserted Claims of the '117 Patent

41. The '117 Patent is entitled "Camera-Mounted Dimmable Lighting Apparatus," and issued September 30, 2008 to inventors Rudy Pohlert, Pat Grosswendt, Kevin Baxter, and Ken Fisher. The '117 Patent issued from United States Patent Application No. 11/307,098 filed on January 23, 2006, and is a continuation of United States Patent Application No. 10/005,564, which is a continuation-in-part of United States Patent Application No.

10/238,973 filed on September 9, 2002, now United States Patent No. 6,948,823, which, in turn, is a continuation-in-part of United States Patent Application No. 09/949,206 filed on September 7, 2001, now United States Patent No. 6,749,310.

42. Litepanels Ltd. owns all rights, title, and interest to the '117 Patent. By the August 26, 2008 Patent License Agreement, Litepanels Ltd. conveyed to Litepanels Inc. an exclusive license to the '117 Patent. (*See Confidential Exhibit 5.*) As required by Commission Rules 210.12(a)(9)(i)-(ii), certified copies of the '117 Patent and its assignment record are attached as Exhibits 9 and 10.

43. In accordance with Commission Rules 210.12(c)(1)-(2), Appendix E to this Complaint includes one certified and three additional copies of the United States Patent and Trademark Office prosecution history for the '117 Patent. Appendix F includes four copies of each patent and applicable pages of each technical reference mentioned in the prosecution history of the '117 Patent.

44. Litepanels asserts that certain of the Accused Products infringe at least claims 1-2, 5-13, 17-25, 28-35, 38-43, 45-47, 50 of the '117 Patent.

B. Licenses Relating to the '117 Patent

45. Litepanels Inc. has sublicensed the '117 Patent. Shreeve Decl. at ¶ 43 sets forth further details regarding the '117 Patent's sublicenses.

C. Foreign Counterparts to the '117 Patent

46. In accordance with Commission Rule 210.12(a)(9)(v), Litepanels states that it is aware of no foreign counterparts issued, filed, abandoned, withdrawn, or rejected relating to the asserted '117 Patent.

VI. THE ASSERTED '652 PATENT

A. Ownership and Asserted Claims of the '652 Patent

47. The '652 Patent is entitled "Versatile Stand-Mounted Wide Area Lighting Apparatus," and issued January 15, 2008 to inventors Rudy Pohlert, Pat Grosswendt, Kevin Baxter, and Ken Fisher. The '652 Patent issued from United States Patent Application No. 10/906,068 filed on February 1, 2006, and is a continuation of United States Patent Application No. 10/238,973 filed on September 9, 2002, now United States Patent No. 6,948,823, which, in turn, is a continuation-in-part of United States Patent Application No. 09/949,206 filed on September 7, 2001, now United States Patent No. 6,749,310.

48. Litepanels Ltd. owns all rights, title, and interest to the '652 Patent. By the August 26, 2008 Patent License Agreement, Litepanels Ltd. conveyed to Litepanels Inc. an exclusive license to the '652 Patent. (*See Confidential Exhibit 5.*) As required by Commission Rules 210.12(a)(9)(i)-(ii), certified copies of the '652 Patent and its assignment record are attached as Exhibits 11 and 12.

49. In accordance with Commission Rules 210.12(c)(1)-(2), Appendix G to this Complaint includes one certified and three additional copies of the United States Patent and Trademark Office prosecution history for the '652 Patent. Appendix H includes four copies of each patent and applicable pages of each technical reference mentioned in the prosecution history of the '652 Patent.

50. Litepanels asserts that certain of the Accused Products infringe at least claims 1-2, 5, 7, 10-11, 15-22, 24-34, and 37 of the '652 Patent.

B. Licenses Relating to the '652 Patent

51. Litepanels Inc. has sublicensed the '652 Patent. Shreeve Decl. at ¶ 43 sets forth further details regarding the '652 Patent's sublicenses.

C. Foreign Counterparts to the '652 Patent

52. In accordance with Commission Rule 210.12(a)(9)(v), Litepanels states that it is aware of no foreign counterparts issued, filed, abandoned, withdrawn, or rejected relating to the asserted '652 Patent.

VII. THE ASSERTED '823 PATENT

A. Ownership and Asserted Claims of the '823 Patent

53. The '823 Patent is entitled "Wide Area Lighting Apparatus and Effects System," and issued September 27, 2005 to inventors Rudy Pohlert, Pat Grosswendt, Kevin Baxter, and Ken Fisher. The '823 Patent issued from United States Patent Application No. 10/238,973 filed on September 9, 2002, and is a continuation-in-part of United States Patent Application No. 09/949,206 filed on September 7, 2001, now United States Patent No. 6,749,310.

54. Litepanels Ltd. owns all rights, title, and interest to the '823 Patent. By the August 26, 2008 Patent License Agreement, Litepanels Ltd. conveyed to Litepanels Inc. an exclusive license to the '823 Patent. (*See Confidential Exhibit 5.*) As required by Commission Rules 210.12(a)(9)(i)-(ii), certified copies of the '823 Patent and its assignment record are attached as Exhibits 13 and 14.

55. In accordance with Commission Rules 210.12(c)(1)-(2), Appendix I to this Complaint includes one certified and three additional copies of the United States Patent and Trademark Office prosecution history for the '823 Patent. Appendix J includes four copies of each patent and applicable pages of each technical reference mentioned in the prosecution history of the '823 Patent.

56. Litepanels asserts that certain of the Accused Products infringe at least claims 17-21, 23-29, 85-88, and 90-93 of the '823 Patent.

B. Licenses Relating to the '823 Patent

57. Litepanels Inc. has sublicensed the '823 Patent. Shreeve Decl. at ¶¶ 42-43 sets forth further details regarding the '823 Patent's sublicenses.

C. Foreign Counterparts to the '823 Patent

58. In accordance with Commission Rule 210.12(a)(9)(v), Litepanels identifies the following foreign counterparts to the '823 Patent:

<u>Country</u>	<u>Patent</u>	<u>Application No.</u>	<u>Title</u>	<u>Filed</u>	<u>Issued</u>	<u>Continuity Data</u>
WO		PCT/US02/28750 (WO2003/023512)	Wide Area Lighting Apparatus and Effects System	09/09/2002	N/A	Claims priority to 6749310 PCT of 6948823 See National Stage Below
AU	2002343348	2002343348	Lighting Apparatus with Control of Color Temperature	09/09/2002	10/02/2008	National Stage of PCT/US02/28750
CA	2498061	CA20022498061	Lighting Apparatus with Control of Color Temperature	09/09/2002	03/20/2003	National Stage of PCT/US02/28750
EP	1428068	EP20020780287	Lighting Apparatus with Control of Color Temperature	09/09/2002	06/16/2004	National Stage of PCT/US02/28750
NZ	532163	NZ20020532163	Wide Area Lighting Apparatus and Effects System	09/09/2002	02/24/2006	National Stage of PCT/US02/28750

VIII. NON-TECHNICAL DESCRIPTION OF THE PATENTED TECHNOLOGY

59. The asserted patents disclose advanced camera-mountable and standalone lighting systems for use in television, broadcast news, and motion picture productions. Lighting

devices that employ the claimed inventions, such as professional photography and videography lighting, allow users to produce high quality illumination, and to flexibly and effectively control the lighting system under widely varying shooting conditions. The advanced lighting systems may include a plurality of semiconductor light elements, such as light emitting diodes (LEDs) or light emitting electrochemical cells (LECs), and may be arranged in a pattern on a panel or a frame so as to provide even, dispersive light. The panel or frame may be relatively lightweight, and may include one or more circuit boards for direct mounting of the light elements. The frame may include an integrated dimmer that may be used to manually adjust the illumination intensity of the semiconductor light elements. A power supply and various control circuitries may be provided for controlling the intensities of the various lamp elements either collectively, individually, or in designated groups.

The '823 Patent

60. Litepanels' '823 patent discloses an advanced camera-mountable lighting effects system for use in television, broadcast news, and motion picture productions. The system may include a portable frame that tracks the camera movement, a mechanism for attachment to a yoke, a plurality of detachable panel members having a plurality of semiconductor light elements, an integrated lens for adjusting the focus of the light emitted, and a color gel that may be securely attached to the frame.

The '290 Patent

61. Litepanels' '290 patent is a grandchild of the '823 patent. Like the '823 patent, the '290 patent discloses an advanced lighting system for use in television, broadcast news, and motion picture productions.

The '117 Patent

62. Litepanels' '117 patent is a grandchild of the '823 patent. Like the '823 patent, the '117 patent discloses an advanced camera mountable lighting system that is directed towards use in television, broadcast news, and motion picture productions.

The '652 Patent

63. Litepanels' '652 patent is a child of the '823 patent. Like the '823 patent, the '652 patent discloses an advanced lighting system for use in television, broadcast news, and motion picture productions..

The '022 Patent

64. Litepanels' '022 patent is a child of the '823 patent. Like the '823 patent, the '022 patent discloses an advanced lighting system for use in television, broadcast news, and motion picture productions. The '022 Patent's claims are directed toward a photographic lighting device that can emit light in a plurality of color-temperatures.

IX. UNFAIR ACTS OF PROPOSED RESPONDENTS – PATENT INFRINGEMENT

A. Infringement of the '022 Patent

1. Prompter/FloLight

a. Infringement

65. On information and belief proposed Respondent Prompter/FloLight is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claim 1 of the '022 Patent.

66. Litepanels has obtained LED photographic lighting devices that, on information and belief, Prompter/FloLight imported and/or sold within the United States after importation, and that infringe at least claim 1 of the '022 Patent.

67. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 15 includes a chart comparing claim 1 of the '022 Patent to Prompter/FloLight's MicroBeam-1024 device. Exhibit 15 shows that the MicroBeam-1024 device is covered by at least claim 1 of the '022 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 15 contains photographs of Prompter/FloLight's MicroBeam-1024 device.

b. Specific Instance of Sale and Importation

68. On information and belief, proposed Respondent Prompter/FloLight imports and/or sells within the United States after importation the MicroBeam-1024 device depicted in Exhibit 15. Pursuant to Commission Rule 210.12(a)(3), Exhibit 16 is a receipt from FloLight showing a sale of Prompter/FloLight's MicroBeam-1024 within the United States. As shown in the photograph contained in Exhibit 17, the MicroBeam-1024 and/or its packaging is marked as "Made in China." Thus, Prompter/FloLight is violating Section 337 of the Tariff Act of 1930 by directly infringing the '022 Patent by importing, and/or selling within the United States after importation the MicroBeam-1024 device.

2. IKAN

a. Infringement

69. On information and belief proposed Respondent IKAN is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 1, 57, 58, 59, and 60 of the '022 Patent.

70. Litepanels has obtained LED photographic lighting devices that, on information and belief, IKAN imported and/or sold within the United States after importation, and that infringe at least claims 1, 57, 58, 59, and 60 of the '022 Patent.

71. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 18 includes a chart comparing claims 1, 57, 58, 59, and 60 of the '022 Patent to IKAN's ID-500 device. Exhibit 18 shows that the ID-500 device is covered by at least claims 1, 57, 58, 59, and 60 of the '022 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 18 contains photographs of IKAN's ID-500 device.

b. Specific Instance of Sale and Importation

72. On information and belief, proposed Respondent IKAN imports and/or sells within the United States after importation the ID-500 device depicted in Exhibit 18. Pursuant to Commission Rule 210.12(a)(3), Exhibit 19 is a receipt from www.bhphotovideo.com showing a sale in the United States of IKAN's ID-500 device within the United States. The IKAN ID-500 device is marked as "Made in China" as shown in the photograph contained in Exhibit 20. Thus, IKAN is violating Section 337 of the Tariff Act of 1930 by directly infringing the '022 Patent by importing, and/or selling within the United States after importation the ID-500 device.

3. Cool Lights

a. Infringement

73. On information and belief proposed Respondent Cool Lights is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 1, 57, 58, 59, and 60 of the '022 Patent.

74. Litepanels has obtained LED photographic lighting devices that, on information and belief, Cool Lights imported and/or sold within the United States after importation, and that infringe at least claims 1, 57, 58, 59, and 60 of the '022 Patent.

75. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 21 includes a chart comparing claims 1, 57, 58, 59, and 60 of the '022 Patent to Cool Lights' CL-LED 1200

BF device. Exhibit 21 shows that the CL-LED 1200 BF device is covered by at least claims 1, 57, 58, 59, and 60 of the '022 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 21 contains photographs of Cool Lights' CL-LED 1200 BF device.

b. Specific Instance of Sale and Importation

76. On information and belief, proposed Respondent Cool Lights imports and/or sells within the United States after importation the CL-LED 1200 BF device depicted in Exhibit 21. Pursuant to Commission Rule 210.12(a)(3), Exhibit 22 is a receipt from Cool Lights showing a sale of Cool Lights' CL-LED 1200 BF device within the United States. As shown in the photograph contained in Exhibit 23, the CL-LED 1200 BF device and/or its packaging is marked as "Made in China." Thus, Cool Lights is violating Section 337 of the Tariff Act of 1930 by directly infringing the '022 Patent by importing, and/or selling within the United States after importation the CL-LED 1200 BF device.

4. Elation

a. Infringement

77. On information and belief proposed Respondent Elation is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 1, 57, 58, 59, and 60 of the '022 Patent.

78. Litepanels has obtained LED photographic lighting devices that, on information and belief, Elation imported and/or sold within the United States after importation, and that infringe at least claims 1, 57, 58, 59, and 60 of the '022 Patent.

79. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 24 includes a chart comparing claims 1, 57, 58, 59, and 60 of the '022 Patent to Elation's TVL 2000 device. Exhibit 24 shows that the TVL 2000 device is covered by at least claims 1, 57, 58, 59, and 60 of

the '022 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 24 contains photographs of Elation's TVL 2000 device.

b. Specific Instance of Sale and Importation

80. On information and belief, proposed Respondent Elation imports and/or sells within the United States after importation the TVL 2000 device depicted in Exhibit 24. Pursuant to Commission Rule 210.12(a)(3), Exhibit 25 is a receipt from Hollywood Lights Inc. showing a sale of Elation's TVL 2000 device within the United States. As shown in the photograph contained in Exhibit 26, the TVL 2000 device and/or its packaging is marked as "Made in China." Thus, Elation is violating Section 337 of the Tariff Act of 1930 by directly infringing the '022 Patent by importing, and/or selling within the United States after importation the TVL 2000 device.

5. Fotodiox

a. Infringement

81. On information and belief proposed Respondent Fotodiox is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 1, 57, 58, 59, and 60 of the '022 Patent.

82. Litepanels has obtained LED photographic lighting devices that, on information and belief, Fotodiox imported and/or sold within the United States after importation, and that infringe at least claims 1, 57, 58, 59, and 60 of the '022 Patent.

83. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 27 includes a chart comparing claims 1, 57, 58, 59, and 60 of the '022 Patent to Fotodiox's 312AS device. Exhibit 27 shows that the 312AS device is covered by at least claims 1, 57, 58, 59, and 60 of the '022 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 27 contains photographs of Fotodiox's 312AS device.

84. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 30 includes a chart comparing claims 1, 57, 58, 59, and 60 of the '022 Patent to Fotodiox's Pro LED-1000ASV device. Exhibit 30 shows that the Pro LED-1000ASV device is covered by at least claims 1, 57, 58, 59, and 60 of the '022 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 30 contains photographs of Fotodiox's Pro LED-1000ASV device.

b. Specific Instance of Sale and Importation

85. On information and belief, proposed Respondent Fotodiox imports and/or sells within the United States after importation the 312AS device depicted in Exhibit 27. Pursuant to Commission Rule 210.12(a)(3), Exhibit 28 is a receipt showing a sale of the Fotodiox 312AS device within the United States. The Fotodiox 312AS device does not have any country of origin designation on the product, but the battery charger that shipped with the 312AV device is marked as "Made in China," as shown in the photograph contained in Exhibit 29. Also, on information and belief, Fotodiox is related to proposed Respondent Yuyao Fotodiox Photo Equipment Co., Ltd. ("Fotodiox China"). Exhibit 57 is a copy of Fotodiox China's website, which states "Yuyao Fotodiox Photo Equipment Co., Ltd. is a joint venture invested by Chinese and American [sic]" and identifies North America as a primary market. Thus, on information and belief the Fotodiox 312AS device was manufactured in China and imported into the United States. Thus, Fotodiox is violating Section 337 of the Tariff Act of 1930 by directly infringing the '022 Patent by importing, and/or selling within the United States after importation the 312AS device.

86. On information and belief, proposed Respondent Fotodiox also imports and/or sells within the United States after importation the Pro LED-1000ASV device depicted in Exhibit 30. Pursuant to Commission Rule 210.12(a)(3), Exhibit 31 is a receipt showing a sale of Fotodiox's Pro LED-1000ASV device within the United States. The Fotodiox Pro LED-

1000ASV device does not have any country of origin designation on the product, but the power cord that shipped with the Pro LED-1000ASV device is marked as “Made in China,” as shown in the photograph contained in Exhibit 29. Also, on information and belief, Fotodiox is related to proposed Respondent Yuyao Fotodiox Photo Equipment Co., Ltd. (“Fotodiox China”). Exhibit 57 is a copy of Fotodiox China’s website, which states “Yuyao Fotodiox Photo Equipment Co., Ltd. is a joint venture invested by Chinese and American [sic]” and identifies North America as a primary market. Thus, on information and belief the Fotodiox Pro LED-1000ASV device was manufactured in China and imported into the United States.

87. Thus, Fotodiox is violating Section 337 of the Tariff Act of 1930 by directly infringing the ‘022 Patent by importing, and/or selling within the United States after importation the Pro LED-1000ASV device.

B. Infringement of the ‘290 Patent

1. Prompter/FloLight

a. Direct Infringement

88. On information and belief proposed Respondent Prompter/FloLight is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 9, 10, 16, 18, 21, 23, and 24 of the ‘290 Patent.

89. Litepanels has obtained LED photographic lighting devices that, on information and belief, Prompter/FloLight imported and/or sold within the United States after importation, and that infringe at least claims 9, 10, 16, 18, 21, 23, and 24 of the ‘290 Patent.

90. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 33 includes a chart comparing claims 9, 10, 16, 18, 21, 23, and 24 of the ‘290 Patent to Prompter/FloLight’s MicroBeam-1024 device. Exhibit 33 shows that the MicroBeam-1024 device is covered by at

least claims 9, 10, 16, 18, 21, 23, and 24 of the ‘290 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 33 contains photographs of Prompter/FloLight’s MicroBeam-1024 device.

b. Specific Instance of Sale and Importation

91. On information and belief, proposed Respondent Prompter/FloLight imports and/or sells within the United States after importation the MicroBeam-1024 device depicted in Exhibit 33. Pursuant to Commission Rule 210.12(a)(3), Exhibit 16 is a receipt from FloLight showing a sale of Prompter/FloLight’s MicroBeam-1024 within the United States. As shown in the photograph contained in Exhibit 17, the MicroBeam-1024 and/or its packaging is marked as “Made in China.” Thus, Prompter/FloLight is violating Section 337 of the Tariff Act of 1930 by directly infringing the ‘290 Patent by importing, and/or selling within the United States after importation the MicroBeam-1024 device.

c. Contributory Infringement

92. Prompter/FloLight has had knowledge of the ‘290 Patent and the infringing acts at least as early as March 9, 2010. (*See* Exhibit 34.)

93. On information and belief, Prompter/FloLight also contributes to infringement of (and thereby infringes) at least claims 9, 10, 16, 18, 21, 23, and 24 of the ‘290 Patent in violation of 35 U.S.C. § 271 by selling within the United States, offering for sale within the United States, and/or importing infringing goods, including the MicroBeam-1024 device.

94. On information and belief, Prompter/FloLight sells the MicroBeam-1024 device, with knowledge that the devices infringe, directly to consumers and/or through other resellers. Consumers and/or resellers of the MicroBeam-1024 devices directly infringe the ‘290 patent.

d. Induced Infringement

95. Prompter/FloLight has had knowledge of the '290 Patent and the infringing acts at least as early as March 9, 2010. (*See* Exhibit 34.)

96. On information and belief, Prompter/FloLight has also induced and continues to induce others to infringe at least claims 9, 10, 16, 18, 21, 23, and 24 of the '290 Patent with at least the MicroBeam-1024 devices in violation of 35 U.S.C. § 271 by encouraging and facilitating others to perform actions known by Prompter/FloLight to be acts of infringement of the '290 Patent with intent that those performing the acts infringe the '290 Patent. Specifically, Prompter/FloLight, on information and belief, advertises regarding the MicroBeam-1024 device, publishes datasheets, websites and promotional literature describing the operation of those devices, creates and/or distributes user instructions for the MicroBeam-1024 devices, and offer support and technical assistance to its customers with respect to the MicroBeam-1024.

2. IKAN

a. Infringement

97. On information and belief proposed Respondent IKAN is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 9, 10, 16, 18, 23, and 25 of the '290 Patent.

98. Litepanels has obtained LED photographic lighting devices that, on information and belief, IKAN imported and/or sold within the United States after importation, and that infringe at least claims 9, 10, 16, 18, 23, and 25 of the '290 Patent.

99. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 35 includes a chart comparing claims 9, 10, 16, 18, 23, and 25 of the '290 Patent to IKAN's ID-500 device. Exhibit 35 shows that the ID-500 device is covered by at least claims 9, 10, 16, 18, 23, and 25 of

the '290 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 35 contains photographs of IKAN's ID-500 device.

b. Specific Instance of Sale and Importation

100. On information and belief, proposed Respondent IKAN imports and/or sells within the United States after importation the ID-500 device depicted in Exhibit 35. Pursuant to Commission Rule 210.12(a)(3), Exhibit 19 is a receipt from www.bhphotovideo.com showing a sale in the United States of IKAN's ID-500 device within the United States. The IKAN ID-500 device is marked as "Made in China" as shown in the photograph contained in Exhibit 20. Thus, IKAN is violating Section 337 of the Tariff Act of 1930 by directly infringing the '290 Patent by importing, and/or selling within the United States after importation the ID-500 device.

3. Cool Lights

a. Infringement

101. On information and belief proposed Respondent Cool Lights is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 9 and 11 of the '290 Patent.

102. Litepanels has obtained LED photographic lighting devices that, on information and belief, Cool Lights imported and/or sold within the United States after importation, and that infringe at least claims 9 and 11 of the '290 Patent.

103. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 36 includes a chart comparing claims 9 and 11 of the '290 Patent to Cool Lights' CL-LED 1200 BF device. Exhibit 36 shows that the CL-LED 1200 BF device is covered by at least claims 9 and 11 of the '290 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 36 contains photographs of Cool Lights' CL-LED 1200 BF device.

b. Specific Instance of Sale and Importation

104. On information and belief, proposed Respondent Cool Lights imports and/or sells within the United States after importation the CL-LED 1200 BF device depicted in Exhibit 36. Pursuant to Commission Rule 210.12(a)(3), Exhibit 22 is a receipt from Cool Lights showing a sale of Cool Lights' CL-LED 1200 BF device within the United States. As shown in the photograph contained in Exhibit 23, the CL-LED 1200 BF device and/or its packaging is marked as "Made in China." Thus, Cool Lights is violating Section 337 of the Tariff Act of 1930 by directly infringing the '290 Patent by importing, and/or selling within the United States after importation the CL-LED 1200 BF device.

C. Infringement of the '117 Patent

1. Prompter/FloLight

a. Direct Infringement

105. On information and belief proposed Respondent Prompter/FloLight is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 1, 24, 43, 46, 47, and 50 of the '117 Patent.

106. Litepanels has obtained LED photographic lighting devices that, on information and belief, Prompter/FloLight imported and/or sold within the United States after importation, and that infringe at least claims 1, 24, 43, 46, 47, and 50 of the '117 Patent.

107. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 37 includes a chart comparing claims 1, 24, 43, 46, 47, and 50 of the '117 Patent to Prompter/FloLight's MicroBeam-256 device. Exhibit 37 shows that the MicroBeam-256 device is covered by at least claims 1, 24, 43, 46, 47, and 50 of the '117 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 37 contains photographs of Prompter/FloLight's MicroBeam-256 device.

b. Specific Instance of Sale and Importation

108. On information and belief, proposed Respondent Prompter/FloLight imports and/or sells within the United States after importation the MicroBeam-256 device depicted in Exhibit 44. Pursuant to Commission Rule 210.12(a)(3), Exhibit 16 is a receipt from FloLight showing a sale of a Prompter/FloLight MicroBeam-256 device within the United States. As shown in the photograph contained in Exhibit 38, the MicroBeam-256 and/or its packaging is marked as “Made in China.” Thus, Prompter/FloLight is violating Section 337 of the Tariff Act of 1930 by directly infringing the ‘117 Patent by importing, and/or selling within the United States after importation the MicroBeam-256 device.

c. Contributory Infringement

109. Prompter/FloLight has had knowledge of the ‘117 Patent and the infringing acts at least as early as March 9, 2010. (*See* Exhibit 34.)

110. On information and belief, Prompter/FloLight also contributes to infringement of (and thereby infringes) at least claims 1, 24, 43, 46, 47, and 50 of the ‘117 Patent in violation of 35 U.S.C. § 271 by selling within the United States, offering for sale within the United States, and/or importing infringing goods, including the MicroBeam-256 device.

111. On information and belief, Prompter/FloLight sells the MicroBeam-256 device, with knowledge that the device infringes, directly to consumers and/or through other resellers. Consumers and/or resellers of those LED photographic lighting devices directly infringe the ‘117 Patent.

d. Induced Infringement

112. Prompter/FloLight has had knowledge of the ‘117 Patent and the infringing acts at least as early as March 9, 2010. (*See* Exhibit 34.)

113. On information and belief, Prompter/FloLight has also induced and continues to induce others to infringe at least claims 22, 23 and 24 of the '117 Patent with at least the MicroBeam-256 devices in violation of 35 U.S.C. § 271 by encouraging and facilitating others to perform actions known by Prompter/FloLight to be acts of infringement of the '117 Patent with intent that those performing the acts infringe the '117 Patent. Specifically, Prompter/FloLight, on information and belief, advertises regarding the MicroBeam-256 device, publishes datasheets, websites and promotional literature describing the operation of those devices, creates and/or distributes user instructions for the MicroBeam-256 devices, and offer support and technical assistance to its customers with respect to the MicroBeam-256.

2. **IKAN**

a. **Infringement**

114. On information and belief proposed Respondent IKAN is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 1, 24, 33, 43, 46, 47 and 50 of the '117 Patent.

115. Litepanels has obtained LED photographic lighting devices that, on information and belief, IKAN imported and/or sold within the United States after importation, and that infringe at least claims 1, 24, 33, 43, 46, 47 and 50 of the '117 Patent.

116. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 39 includes a chart comparing claims 1, 24, 33, 43, 46, 47 and 50 of the '117 Patent to IKAN's ILED-155 device. Exhibit 39 shows that the ILED-155 device is covered by at least claims 1, 24, 33, 43, 46, 47 and 50 of the '117 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 39 contains photographs of IKAN's ILED-155 device.

b. Specific Instance of Sale and Importation

117. On information and belief, proposed Respondent IKAN imports and/or sells within the United States after importation the ILED-155 device depicted in Exhibit 39. Pursuant to Commission Rule 210.12(a)(3), Pursuant to Commission Rule 210.12(a)(3), Exhibit 19 is a receipt from www.bhphotovideo.com showing a sale in the United States of IKAN's ILED-155 device. As shown in the photograph contained in Exhibit 40, the ILED-155 device and/or its packaging is marked as "Made in China." Thus, IKAN is violating Section 337 of the Tariff Act of 1930 by directly infringing the '117 Patent by importing, and/or selling within the United States after importation the ILED-155 device.

3. F&V

a. Infringement

118. On information and belief proposed Respondent F&V is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 1, 24 and 43 of the '117 Patent.

119. Litepanels has obtained LED photographic lighting devices that, on information and belief, F&V imported and/or sold within the United States after importation, and that infringe at least claims 1, 24 and 43 of the '117 Patent.

120. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 41 includes a chart comparing claims 1, 24 and 43 of the '117 Patent to F&V's Z96 device. Exhibit 41 shows that the Z96 device is covered by at least claims 1, 24 and 43 of the '117 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 41 contains photographs of F&V's Z96 device.

b. Specific Instance of Sale and Importation

121. On information and belief, proposed Respondent F&V imports and/or sells within the United States after importation the Z96 device depicted in Exhibit 41. Pursuant to

Commission Rule 210.12(a)(3), Exhibit 42 is a receipt showing a sale of F&V's Z96 devices within the United States. As shown in the photograph contained in Exhibit 43, the Z96 device and/or its packaging is marked as "Made in China." Thus, F&V is violating Section 337 of the Tariff Act of 1930 by directly infringing the '117 Patent by importing, and/or selling within the United States after importation the Z96 device.

4. Stellar

a. Infringement

122. On information and belief proposed Respondent Stellar is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 1 and 24 of the '117 Patent.

123. Litepanels has obtained LED photographic lighting devices that, on information and belief, Stellar imported and/or sold within the United States after importation, and that infringe at least claims 1 and 24 of the '117 Patent.

124. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 44 includes a chart comparing claims 1 and 24 of the '117 Patent to Stellar's STL-96D device. Exhibit 44 shows that the STL-96D device is covered by at least claims 1 and 24 of the '117 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 44 contains photographs of Stellar's STL-96D device.

b. Specific Instance of Sale and Importation

125. On information and belief, proposed Respondent Stellar imports and/or sells within the United States after importation the STL-96D device depicted in Exhibit 44. Pursuant to Commission Rule 210.12(a)(3), Exhibit 45 is a receipt from Stellar Lighting Systems showing a sale of Stellar's STL-96D devices within the United States. As shown in the photograph contained in Exhibit 46, the STL-96D device and/or its packaging is marked as

“Made in China.” Thus, Stellar is violating Section 337 of the Tariff Act of 1930 by directly infringing the ‘117 Patent by importing, and/or selling within the United States after importation the STL-96D device.

D. Infringement of the ‘652 Patent

1. Prompter/FloLight

a. Direct Infringement

126. On information and belief proposed Respondent Prompter/FloLight is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 1, 16, and 22 of the ‘652 Patent.

127. Litepanels has obtained LED photographic lighting devices that, on information and belief, Prompter/FloLight imported and/or sold within the United States after importation, and that infringe at least claims 1, 16, and 22 of the ‘652 Patent.

128. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 47 includes a chart comparing claims 1, 16, and 22 of the ‘652 Patent to Prompter/FloLight’s MicroBeam-1024 device. Exhibit 47 shows that the MicroBeam-1024 device is covered by at least claims 1, 16, and 22 of the ‘652 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 47 contains photographs of Prompter/FloLight’s MicroBeam-1024 device.

b. Specific Instance of Sale and Importation

129. On information and belief, proposed Respondent Prompter/FloLight imports and/or sells within the United States after importation the MicroBeam-1024 depicted in Exhibit 47. Pursuant to Commission Rule 210.12(a)(3), Exhibit 16 is a receipt from FloLight showing a sale of a Prompter/FloLight MicroBeam-1024 device within the United States. As shown in the photograph contained in Exhibit 17, the MicroBeam-1024 and/or its packaging is marked as “Made in China.” Thus, Prompter/FloLight is violating Section 337 of the Tariff Act

of 1930 by directly infringing the '652 Patent by importing, and/or selling within the United States after importation the MicroBeam-1024 device.

c. Contributory Infringement

130. Prompter/FloLight has had knowledge of the '652 Patent and the infringing acts at least as early as March 9, 2010. (*See* Exhibit 34.)

131. On information and belief, Prompter/FloLight also contributes to infringement of (and thereby infringes) at least claims 1, 16, and 22 of the '652 Patent in violation of 35 U.S.C. § 271 by selling within the United States, offering for sale within the United States, and/or importing infringing goods, including the MicroBeam-1024 device.

132. On information and belief, Prompter/FloLight sells the MicroBeam-1024 device, with knowledge that the devices infringe, directly to consumers and/or through other resellers. Consumers and/or resellers of the MicroBeam-1024 device directly infringe the '652 patent.

d. Induced Infringement

133. Prompter/FloLight has had knowledge of the '652 Patent and the infringing acts at least as early as March 9, 2010. (*See* Exhibit 34.)

134. On information and belief, Prompter/FloLight has also induced and continues to induce others to infringe at least claims 1, 6, and 22 of the '652 Patent with at least the MicroBeam-1024 devices in violation of 35 U.S.C. § 271 by encouraging and facilitating others to perform actions known by Prompter/FloLight to be acts of infringement of the '652 Patent with intent that those performing the acts infringe the '652 Patent. Specifically, Prompter/FloLight, on information and belief, advertises regarding the MicroBeam-1024 device, publishes datasheets, websites and promotional literature describing the operation of those

devices, creates and/or distributes user instructions for the MicroBeam-1024 devices, and offer support and technical assistance to its customers with respect to the MicroBeam-1024.

2. IKAN

a. Infringement

135. On information and belief proposed Respondent IKAN is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 1, 16, and 22 of the '652 Patent.

136. Litepanels has obtained LED photographic lighting devices that, on information and belief, IKAN imported and/or sold within the United States after importation, and that infringe at least claims 1, 16, and 22 of the '652 Patent.

137. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 48 includes a chart comparing claims 1, 16, and 22 of the '652 Patent to IKAN's ID-500 device. Exhibit 48 shows that the ID-500 device is covered by at least claims 1, 16, and 22 of the '652 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 48 contains photographs of IKAN's ID-500 device.

b. Specific Instance of Sale and Importation

138. On information and belief, proposed Respondent IKAN imports and/or sells within the United States after importation the ID-500 device depicted in Exhibit 48. Pursuant to Commission Rule 210.12(a)(3), Exhibit 19 is a receipt from www.bhphotovideo.com showing a sale of IKAN's ID-500 device within the United States. The IKAN ID-500 device is marked as "Made in China" as shown in the photograph contained in Exhibit 20. Thus, IKAN is violating Section 337 of the Tariff Act of 1930 by directly infringing the '652 Patent by importing, and/or selling within the United States after importation the ID-500 device.

3. Cool Lights

a. Infringement

139. On information and belief proposed Respondent Cool Lights is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 1, 16, and 22 of the ‘652 Patent.

140. Litepanels has obtained LED photographic lighting devices that, on information and belief, Cool Lights imported and/or sold within the United States after importation, and that infringe at least claims 1, 16, and 22 of the ‘652 Patent.

141. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 49 includes a chart comparing claims 1, 16, and 22 of the ‘652 Patent to Cool Lights’ CL-LED 600 device. Exhibit 49 shows that the CL-LED 600 device is covered by at least claims 1, 16, and 22 of the ‘652 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 49 contains photographs of Cool Lights’ CL-LED 600 device.

b. Specific Instance of Sale and Importation

142. On information and belief, proposed Respondent Cool Lights imports and/or sells within the United States after importation the CL-LED 600 device depicted in Exhibit 49. Pursuant to Commission Rule 210.12(a)(3), Exhibit 50 is a receipt from Cool Lights showing a sale of Cool Lights’ CL-LED 600 device within the United States. As shown in the photographs contained in Exhibits 50, the CL-LED 600 device and/or its packaging is marked as “Made in China.” Thus, Cool Lights is violating Section 337 of the Tariff Act of 1930 by directly infringing the ‘652 Patent by importing, and/or selling within the United States after importation the CL-LED 600 device.

4. Elation

a. Infringement

143. On information and belief proposed Respondent Elation is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 1, 16, and 22 of the ‘652 Patent.

144. Litepanels has obtained LED photographic lighting devices that, on information and belief, Elation imported and/or sold within the United States after importation, and that infringe at least claims 1, 16, and 22 of the ‘652 Patent.

145. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 52 includes a chart comparing claims 1, 16, and 22 of the ‘652 Patent to Elation’s TVL 2000 device. Exhibit 52 shows that the TVL 2000 device is covered by at least claims 1, 16, and 22 of the ‘652 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 52 contains photographs of Elation’s TVL 2000 device.

b. Specific Instance of Sale and Importation

146. On information and belief, proposed Respondent Elation imports and/or sells within the United States after importation the TVL 2000 device depicted in Exhibit 52. Pursuant to Commission Rule 210.12(a)(3), Exhibit 25 is a receipt from Hollywood Lights Inc. showing a sale of Elation’s TVL 2000 device within the United States. As shown in the photograph contained in Exhibit 26, the TVL 2000 device and/or its packaging is marked as “Made in China.” Thus, Elation is violating Section 337 of the Tariff Act of 1930 by directly infringing the ‘652 Patent by importing, and/or selling within the United States after importation the TVL 2000 device.

5. F&V

a. Infringement

147. On information and belief proposed Respondent F&V is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 1, 2, 5, 7, 10, 15, 16, 18, 19, 21, 22, 25, 27, 31, and 32 of the ‘652 Patent.

148. Litepanels has obtained LED photographic lighting devices that, on information and belief, F&V imported and/or sold within the United States after importation, and that infringe at least claims 1, 2, 5, 7, 10, 15, 16, 18, 19, 21, 22, 25, 27, 31, and 32 of the ‘652 Patent.

149. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 53 includes a chart comparing claims 1, 2, 5, 7, 10, 15, 16, 18, 19, 21, 22, 25, 27, 31, and 32 of the ‘652 Patent to F&V’s Z96 device. Exhibit 53 shows that the Z96 device is covered by at least claims 1, 2, 5, 7, 10, 15, 16, 18, 19, 21, 22, 25, 27, 31, and 32 of the ‘652 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 53 contains photographs of F&V’s Z96 device.

b. Specific Instance of Sale and Importation

150. On information and belief, proposed Respondent F&V imports and/or sells within the United States after importation the Z96 device depicted in Exhibit 53. Pursuant to Commission Rule 210.12(a)(3), Exhibit 42 is a receipt showing a sale of F&V’s Z96 devices within the United States. As shown in the photograph contained in Exhibit 43, the Z96 device and/or its packaging is marked as “Made in China.” Thus, F&V is violating Section 337 of the Tariff Act of 1930 by directly infringing the ‘117 Patent by importing, and/or selling within the United States after importation the Z96 device.

6. Fotodiox

a. Infringement

151. On information and belief proposed Respondent Fotodiox is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 1, 16, and 22 of the '652 Patent.

152. Litepanels has obtained LED photographic lighting devices that, on information and belief, Fotodiox imported and/or sold within the United States after importation, and that infringe at least claims 1, 16, and 22 of the '652 Patent.

153. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 54 includes a chart comparing claims 1, 16, and 22 of the '652 Patent to the Fotodiox 500AV device. Exhibit 54 shows that the 500AV device is covered by at least claims 1, 16, and 22 of the '652 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 54 contains photographs of the Fotodiox 500AV device.

b. Specific Instance of Sale and Importation

154. On information and belief, proposed Respondent Fotodiox imports and/or sells within the United States after importation the 500AV device depicted in Exhibit 54. Pursuant to Commission Rule 210.12(a)(3), Exhibit 55 is a receipt showing a sale of the Fotodiox 500AV device within the United States. The Fotodiox 500AV device does not have any country of origin designation on the product, but the power cord that shipped with the 500AV device is marked as "Made in China," as shown in the photograph contained in Exhibit 56. Also, on information and belief, Fotodiox is related to proposed Respondent Yuyao Fotodiox Photo Equipment Co., Ltd. ("Fotodiox China"). Exhibit 57 is a copy of Fotodiox China's website, which states "Yuyao Fotodiox Photo Equipment Co., Ltd. is a joint venture invested by Chinese and American [sic]" and identifies North America as a primary market.

Thus, on information and belief the Fotodiox 500AV device was manufactured in China and imported into the United States. Thus, Fotodiox is violating Section 337 of the Tariff Act of 1930 by directly infringing the '652 Patent by importing, and/or selling within the United States after importation the 500AV device.

E. Infringement of the '823 Patent

1. Prompter/FloLight

a. Direct Infringement

155. On information and belief proposed Respondent Prompter/FloLight is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 17, 18, 28, and 85 of the '823 Patent.

156. Litepanels has obtained LED photographic lighting devices that, on information and belief, Prompter/FloLight imported and/or sold within the United States after importation, and that infringe at least claims 17, 18, 28, and 85 of the '823 Patent.

157. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 58 includes a chart comparing claims 17, 18, 28, and 85 of the '823 Patent to Prompter/FloLight's MicroBeam-256 device. Exhibit 58 shows that the MicroBeam-256 device is covered by at least claims 17, 18, 28, and 85 of the '823 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 58 contains photographs of Prompter/FloLight's MicroBeam-256 device.

b. Specific Instance of Sale and Importation

158. On information and belief, proposed Respondent Prompter/FloLight imports and/or sells within the United States after importation the MicroBeam-256 device depicted in Exhibit 58. Pursuant to Commission Rule 210.12(a)(3), Exhibit 16 is a receipt from FloLight showing a sale of a Prompter/FloLight MicroBeam-256 device within the United States.

As shown in the photograph contained in Exhibit 38, the MicroBeam-256 and/or its packaging is marked as “Made in China.” Thus, Prompter/FloLight is violating Section 337 of the Tariff Act of 1930 by directly infringing the ‘823 Patent by importing, and/or selling within the United States after importation the MicroBeam-256 device.

c. Contributory Infringement

159. Prompter/FloLight has had knowledge of the ‘823 Patent and the infringing acts at least as early as March 9, 2010. (*See* Exhibit 34.)

160. On information and belief, Prompter/FloLight also contributes to infringement of (and thereby infringes) at least claims 22, 23 and 24 of the ‘823 Patent with at least the MicroBeam-256 device in violation of 35 U.S.C. § 271 by selling within the United States, offering for sale within the United States, and/or importing infringing goods, including the MicroBeam-256 device.

161. On information and belief, Prompter/FloLight sells the Accused Devices, with knowledge that the device infringes, directly to consumers and/or through other resellers. Consumers and/or resellers of those LED photographic lighting devices directly infringe the ‘823 patent.

d. Induced Infringement

162. Prompter/FloLight has had knowledge of the ‘823 Patent and the infringing acts at least as early as March 9, 2010. (*See* Exhibit 34.)

163. On information and belief, Prompter/FloLight has also induced and continues to induce others to infringe at least claims 22, 23 and 24 of the ‘823 Patent with at least the MicroBeam-256 devices in violation of 35 U.S.C. § 271 by encouraging and facilitating others to perform actions known by Prompter/FloLight to be acts of infringement of the ‘823 Patent with intent that those performing the acts infringe the ‘823 Patent. Specifically,

Prompter/FloLight, on information and belief, advertises regarding the MicroBeam-256 device, publishes datasheets, websites and promotional literature describing the operation of those devices, creates and/or distributes user instructions for the MicroBeam-256 devices, and offer support and technical assistance to its customers with respect to the MicroBeam-256.

2. IKAN

a. Infringement

164. On information and belief proposed Respondent IKAN is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 17, 18, 28, and 85 of the ‘823 Patent.

165. Litepanels has obtained LED photographic lighting devices that, on information and belief, IKAN imported and/or sold within the United States after importation, and that infringe at least claims 17, 18, 28, and 85 of the ‘823 Patent.

166. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 59 includes a chart comparing claims 17, 18, 28, and 85 of the ‘823 Patent to IKAN’s ILED-155 device. Exhibit 59 shows that the ILED-155 device is covered by at least claims 17, 18, 28, and 85 of the ‘823 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 59 contains photographs of IKAN’s ILED-155 device.

b. Specific Instance of Sale and Importation

167. On information and belief, proposed Respondent IKAN imports and/or sells within the United States after importation the ILED-155 device depicted in Exhibit 59. Pursuant to Commission Rule 210.12(a)(3), Pursuant to Commission Rule 210.12(a)(3), Exhibit 19 is a receipt from www.bhphotovideo.com showing a sale in the United States of IKAN’s ILED-155 device. As shown in the photograph contained in Exhibit 40, the ILED-155 device and/or its packaging is marked as “Made in China.” Thus, IKAN is violating Section 337

of the Tariff Act of 1930 by directly infringing the '823 Patent by importing, and/or selling within the United States after importation the ILED-155 device.

3. F&V

a. Infringement

168. On information and belief proposed Respondent F&V is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 17, 18, 19, 21, 23, 25, 26, 28, 85, 86, 87, 88, 90, 92, and 93 of the '823 Patent.

169. Litepanels has obtained LED photographic lighting devices that, on information and belief, F&V imported and/or sold within the United States after importation, and that infringe at least claims 17, 18, 19, 21, 23, 25, 26, 28, 85, 86, 87, 88, 90, 92, and 93 of the '823 Patent.

170. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 60 includes a chart comparing claims 17, 18, 19, 21, 23, 25, 26, 28, 85, 86, 87, 88, 90, 92, and 93 of the '823 Patent to F&V's Z96 device. Exhibit 60 shows that the Z96 device is covered by at least claims 17, 18, 19, 21, 23, 25, 26, 28, 85, 86, 87, 88, 90, 92, and 93 of the '823 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 60 contains photographs of F&V's Z96 device.

b. Specific Instance of Sale and Importation

171. On information and belief, proposed Respondent F&V imports and/or sells within the United States after importation the Z96 device depicted in Exhibit 60. Pursuant to Commission Rule 210.12(a)(3), Exhibit 42 is a receipt showing a sale of F&V's Z96 devices within the United States. As shown in the photograph contained in Exhibit 43, the Z96 device and/or its packaging is marked as "Made in China." Thus, F&V is violating Section 337 of the

Tariff Act of 1930 by directly infringing the '823 Patent by importing, and/or selling within the United States after importation the Z96 device.

4. Stellar

172. On information and belief proposed Respondent Stellar is engaged in the importation, and/or the sale within the United States after importation of certain LED photographic lighting devices that infringe at least claims 17, 18, 28, and 85 of the '823 Patent.

173. Litepanels has obtained LED photographic lighting devices that, on information and belief, Stellar imported and/or sold within the United States after importation, and that infringe at least claims 17, 18, 28, and 85 of the '823 Patent.

174. Pursuant to Commission Rule 210.12(a)(9)(viii), Exhibit 61 includes a chart comparing claims 17, 18, 28, and 85 of the '823 Patent to Stellar's STL-96D device. Exhibit 61 shows that the STL-96D device is covered by at least claims 17, 18, 28, and 85 of the '823 Patent. Pursuant to Commission Rule 210.12(a)(9)(x), Exhibit 61 contains photographs of Stellar's STL-96D device.

175. On information and belief, proposed Respondent Stellar imports and/or sells within the United States after importation the STL-96D device depicted in Exhibit 61. Pursuant to Commission Rule 210.12(a)(3), Exhibit 45 is a receipt from Stellar Lighting Systems showing a sale of Stellar's STL-96D devices within the United States. As shown in the photograph contained in Exhibit 46, the STL-96D device and/or its packaging is marked as "Made in China." Thus, Stellar is violating Section 337 of the Tariff Act of 1930 by directly infringing the '823 Patent by importing, and/or selling within the United States after importation the STL-96D device.

F. Infringement by Manufacturing Respondents

176. On information and belief, the following Respondents are directly engaged in the manufacturing for importation into the United States, and/or the importation into the United States of certain LED photographic lighting devices previously charted in the various claim charts above, and described in various specific instances of importation above.

1. Visio

177. On information and belief, Respondent Visio imports and/or sells for importation infringing devices, including but not limited to the accused ILED-155, ILED-312, and ID-500 devices that are ultimately sold within the United States by Respondent IKAN, as described in detail above. (*See* Exhibit 62 (import bills of lading).)

2. Lishuai

178. On information and belief, Respondent Lishuai imports and/or sells for importation infringing devices, including but not limited to the accused MicroBeam-256 and MicroBeam-1024 devices that are ultimately sold within the United States by Respondent Prompter/FloLight, as described in detail above. (*See* Exhibit 63 (discussion equating Lishuai to FloLight); *see also* Exhibit 64 (Westbuy.com offering FloLight manufactured by Lishuai).)

3. Huanyu

179. On information and belief, Respondent Huanyu imports and/or sells for importation infringing devices, including but not limited to the accused CL-LED 600 and CL-LED 1200BF devices that are ultimately sold within the United States by Respondent Cool Lights, as described in detail above. (*See* Exhibit 65 (import bill of lading from Huanyu to Cool Lights).)

4. Fotodiox China

180. On information and belief, Respondent Fotodiox China imports and/or sells for importation infringing devices, including but not limited to the accused 500AV, Pro LED-1000ASV, and 312AS devices that are ultimately sold within the United States by Respondent Fotodiox USA, as described in detail above. (*See* Exhibit 66 (Fotodiox China website stating it is a joint venture with America).)

5. Shantou

181. On information and belief, Respondent Shantou imports and/or sells for importation at least one of the infringing devices claim-charted and described in detail above. Shantou attends trade show in the United States, and boasts that it “is specialized in manufacture of photographic equipment of fluorescent lightings, LED Lightings.” (*See* Exhibit 67 (Shantou Exhibitor Information from NAB Trade Show).) At the National Association of Broadcasters (NAB) Tradeshow in Las Vegas in April 2011, Shantou demonstrated products that were apparent copies of Litepanels’ products, they had also apparently copied Litepanels’ marketing materials. (*See* Fisher Decl. at ¶ 11.)

6. Lily

182. On information and belief, Respondent Lily imports at least one of the infringing devices described in detail above. Lily is the shipper of record for at least Respondents IKAN. (*See* Exhibit 68 (bill of lading from Lily to IKAN).) Exhibit 69 is a graphic created by the online service importgenious.com, and shows the relationship between Lily and various LED photographic device sellers to whom Lily ships. The LED photographic device sellers depicted in the graphic include Respondents IKAN, Fotodiox, and Prompter/FloLight. (*See* Exhibit 69.)

X. HARMONIZED TARIFF SCHEDULE INFORMATION

183. The articles subject to this Complaint are classifiable under at least the following headings and subheadings of the Harmonized Tariff Schedule (“HTS”) of the United States: (1) 9405.40 (Other electric lamps and lighting fittings); (2) 9006.61 – 69, 99 (photographic flashlight apparatus). These identifications are for illustrative purposes only and is not intended to restrict the scope of the investigation.

XI. RELATED LITIGATION

184. Litepanels is asserting the ‘823, ‘290, and ‘117 Patents in co-pending action in the United States District Court for the Eastern District of Texas styled *Litepanels, Ltd et al v. Switronix, Inc. et al.*, Case No. 6:09-cv-00171-LED (E.D. Tex.). Proposed Respondent Prompter/FloLight is a defendant in the co-pending litigation. No other Proposed Respondents are parties to the co-pending litigation. There is no related litigation for any of the other Asserted Patents.

XII. DOMESTIC INDUSTRY RELATING TO THE ASSERTED PATENTS

185. A domestic industry as defined by 19 U.S.C § 1337(a)(3) exists with respect to Litepanels’ activity in the United States that exploits the ‘117, ‘823, ‘290, ‘652, and ‘022 patents, and that relate to products that employ the patented technology by reasons of Litepanels Inc.’s significant investment in plant and equipment, significant employment of labor and capital, and substantial exploitation of the ‘117, ‘823, ‘290, ‘652, and ‘022 patents through engineering and research and development.

186. Since its formation, Litepanels Inc.’s operations have focused on the research, development, and manufacture of semiconductor-based lighting systems. The founders of Litepanels, Inc.’s predecessor, Litepanels LLC, all of whom remain as principal employees of Litepanels Inc., were pioneers in the design and development of semiconductor-based lighting

systems for use in motion pictures, video, and still photography. (See Shreeve Decl. at ¶ 10.) Over the past ten (10) years, Litepanels, Inc. and its predecessors have developed cutting edge lighting systems that have revolutionized the production lighting industry. These innovations include the Litepanels “Mini,” which was released in 2003 and was the first commercial semiconductor-based lighting system specifically designed for motion picture, video, and still photography. (See *id.*)

187. Litepanels-branded lighting systems have enjoyed tremendous success in the entertainment, broadcast, and still photography industries, having won more than twenty-five (25) industry awards, including the 2009 Emmy Award for technical achievement, and have become the lighting systems of choice for popular television shows, including: *CBS Evening News*, the Fox Network’s television series *24*, and *Desperate Housewives*. (See Shreeve Decl. at ¶ 10.) Litepanels, Inc.’s innovative lighting products are also used to light both the White House and the Pentagon briefing rooms. (See *id.*)

A. Technical Prong

188. The ‘022 Patent: Lights that are developed, manufactured, and sold by Litepanels, Inc. in the United States practice the ‘022 Patent. For example, Litepanels, Inc.’s 1x1 Bi-Color series lighting systems embody at least claims 1, 57, 58 and 59 of the ‘022 Patent. A claim chart demonstrating how Litepanels, Inc.’s 1x1 Bi-Color device practice claim 1 of the ‘022 Patent is attached hereto as Exhibit 70. Litepanels, Inc.’s Micro series device also practice the ‘022 Patent. For example, Litepanels, Inc.’s Micro series device embodies at least claim 1 of the ‘022 Patent. A claim chart demonstrating how Litepanels, Inc.’s Micro device practices claim 1 of the ‘022 Patent is attached hereto as Exhibit 71. Other of Litepanels, Inc.’s LED-based lighting systems also practice the claims of the ‘022 Patent

189. The ‘117 Patent: Lighting devices that are developed, manufactured, and sold by Litepanels, Inc. in the United States practice the ‘117 Patent. For example, Litepanels, Inc.’s Micro series lighting products embody at least claim 1 of the ‘117 Patent. A claim chart demonstrating how the Micro product practices claim 1 of the ‘117 Patent is attached hereto as Exhibit 72. Other of Litepanels, Inc.’s LED-based lighting systems also practice the claims of the ‘117 Patent.

190. The ‘823 Patent: Lighting devices that are developed, manufactured, and sold by Litepanels, Inc. in the United States practice the ‘823 Patent. For example, Litepanels, Inc.’s Micro series lighting systems embody at least claim 1 of the ‘823 Patent. A claim chart demonstrating how Litepanels, Inc.’s Micro devices practice claim 1 of the ‘823 Patent is attached hereto as Exhibit 73. Other of Litepanels, Inc.’s LED-based lighting systems also practice the claims of the ‘823 Patent.

191. The ‘290 Patent: Lights that are developed, manufactured, and sold by Litepanels, Inc. in the United States practice the ‘290 Patent. For example, Litepanels, Inc.’s Micro series lighting systems embody at least claim 1 of the ‘290 Patent. A claim chart demonstrating how Litepanels, Inc.’s Micro lighting systems practice claim 1 of the ‘290 Patent is attached hereto as Exhibit 74. Other of Litepanels, Inc.’s LED-based lighting systems also practice the claims of the ‘290 Patent.

192. The ‘652 Patent: Lights that are developed, manufactured, and sold by Litepanels, Inc. in the United States practice the ‘652 Patent. For example, Litepanels, Inc.’s Micro series lighting systems embody at least claim 1 of the ‘652 Patent. A claim chart demonstrating how Litepanels, Inc.’s Micro devices practice claim 1 of the ‘652 Patent is

attached hereto as Exhibit 75. Other of Litepanels, Inc.'s LED-based lighting systems also practice the claims of the '652 Patent.

B. Economic Prong

193. With respect to the Asserted Patents, a domestic industry in the United States exists as defined under Section 337(a)(3)(B) by virtue of Litepanels, Inc.'s (1) significant investments in plant and equipment, (2) significant investment in labor and capital, and (3) substantial investments in engineering and research and development, in the United States devoted to developing, manufacturing, and testing of LED photographic lighting devices that employ and exploit the technology covered by one or more of the claims of the '117, '823, '290, '652, and '022 patents, such as the 1x1 series and Micro series devices. Paragraph 40 of the Shreeve Declaration is a chart showing the breakdown of Litepanels, Inc.'s resources as allocated between all current projects, including the 1x1 and the Micro projects. (*See* Shreeve Decl. at ¶ 40.)

1. Significant Investment in Plant and Equipment

194. With respect to the Asserted Patents, a domestic industry in the United States exists as defined under Section 337(a)(3) by virtue of Litepanels, Inc.'s significant investments in plant and equipment, significant employment of labor and capital, and substantial resources devoted to developing, manufacturing, and testing of LED photographic lighting devices that employ and exploit the technology covered by one or more of the claims of the '117, '823, '290, '652, and '022 patents.

195. Litepanels, Inc. has facilities in the United States in Van Nuys, California. All of Litepanels, Inc.'s research, development and manufacturing activities are conducted in the United States at Litepanels, Inc.'s Van Nuys facilities. These facilities are used for the research and development, engineering, and manufacture of LED photographic lighting devices that

exploit the '117, '823, '290, '652, and '022 patents. Shreeve Decl. at ¶¶ 13-15, 18-19, and 29-30 sets forth further details regarding these facilities.

196. Litepanels, Inc. has made significant and substantial investments in the facilities at Van Nuys, California that directly relate to the research, development, engineering, and manufacture of LED photographic lighting devices that exploit the '117, '823, '290, '652, and '022 patents. Shreeve Decl. at ¶¶ 13-15, 18-19, and 29-30 sets forth further details regarding these investments.

197. Litepanels, Inc. has also made significant and substantial investments in equipment in the United States used to research, develop, engineer, and manufacture its LED photographic lighting devices that exploit the '117, '823, '290, '652, and '022 patents. Shreeve Decl. at ¶¶ 13-15, 18-19, and 29-30 sets forth further details regarding these investments.

2. Significant Employment of Labor and Capital

198. With respect to the Asserted Patents, a domestic industry in the United States exists as defined under Section 337(a)(3)(B) based upon Litepanels, Inc.'s significant employment of labor and capital in the United States. Litepanels, Inc.'s personnel expenses were significant in 2010 and in the first two quarters of 2011. (*See* Shreeve Decl. at ¶¶ 16-17.) Litepanels, Inc.'s personnel expenses are anticipated to be significant again through the remainder of 2011 and 2012. (*Id.*) Shreeve Decl. at ¶¶ 16-17, 20-24, and 31-40 sets forth further details regarding Litepanels, Inc.'s employees and personnel expenses.

199. Litepanels, Inc. currently employs in the United States a significant number of people involved in the domestic production of LED photographic lighting devices that exploit the '117, '823, '290, '652, and '022 patents. These employees include full-time equivalent (FTE) personnel dedicated to the manufacture of the patented products, as well as engineers and engineering technicians either partially or fully dedicated to researching and

developing LED photographic lighting devices that exploit the ‘117, ‘823, ‘290, ‘652, and ‘022 patents. Shreeve Decl. at ¶¶ 16-17, 20-24, and 31-40 sets forth further details regarding these employees.

**3. Substantial Investment in Exploiting the Asserted Patents
Through Engineering and Research and Development**

200. With respect to the Asserted Patents, a domestic industry in the United States exists as defined under Section 337(a)(3)(C). Litepanels, Inc. has made, and will continue to make, substantial investments in the United States in engineering and research and development related to existing and future LED photographic lighting devices that exploit the ‘117, ‘823, ‘290, ‘652, and ‘022 patents. Shreeve Decl. at ¶¶ 10, 12, 25-28, and 36-40 sets forth further details regarding these expenditures.

XIII. GENERAL EXCLUSION ORDER

201. A general exclusion order is warranted under Section 337(d)(2)(B) because there is a pattern of violation of Section 337, and it is difficult to identify the sources of infringing products. A general exclusion order is also warranted under Section 337(d)(2)(A) because a general exclusion order is necessary to prevent circumvention of an exclusion order limited to products of named respondents.

A. Widespread Pattern of Infringement and Difficulty in Identifying the Source of Infringing Products

202. Litepanels has encountered an ever increasing stream of LED-based photographic lighting devices that infringe one or more claims of the Asserted Patents. (*See* Fisher Decl. at ¶ 8.) Three years ago, Litepanels, Inc. released its Micro product line. Litepanels Inc. was first in the market with this type of device, and sales of the Micro were initially strong. The Micro’s sales increased until about April of 2010, when Chinese knock-offs began to enter the United States selling for substantially less than the Micro. (Shreeve Decl. at ¶ 44.)

203. The entry of Chinese knock-offs forced Litepanels, Inc. to lower the price of the Micro products by a significant amount. (Shreeve Decl. at ¶ 45.) Despite the price decrease, sales of the Micro products steadily decreased from April 2010 until present. (*Id.*) During that time there has been a steady increase in Chinese knock-off products available in the United States. (*Id.*)

204. At first these Chinese knock-offs were copying consumer-level products such as Litepanels, Inc.'s Micro series devices, but recently Litepanels, Inc. has experienced market pressure from Chinese knock-offs of its professional level products such as the 1x1. (Shreeve Decl. at ¶ 46.)

205. Apparently, there is an effort by the Chinese to flood the LED manufacturing industry with Chinese-made LEDs. (*See* Shreeve Decl. at ¶ 48, Exhibit P (Vincent Gu, iSupply Applied Market Intelligence, Government Incentives Spur Doubling in China LED Market by 2014 (Jul. 29, 2010), http://www.circuitnet.com/articles/article_72891F.shtml).)

206. It has been reported that the Chinese government “has quickly moved to subsidize at least 70 percent of the price of tools to make LEDs, prompting dozens of companies to start fabricating the semiconductor light sources.” (*See* Shreeve Decl. at ¶ 49, Exhibit Q (Nichola Groom, Thompson Reuters, Analysis: LEDs companies’ rally dims as China beckons. (Feb. 2, 2011).)

207. It has been reported that Chinese LED makers now number in the hundreds. (*See* Shreeve Decl. at ¶ 50, Exhibit Q.) One analyst has described the flood of Chinese LEDs in the market as a “tsunami.” (*Id.*)

208. Litepanels has identified the Respondents for which it has substantial evidence of importation or sale after importation into the United States of infringing LED photographic lighting devices. Upon information and belief, additional entities are engaged in the manufacture, sale for importation, importation, and sale after importation of infringing products, which Litepanels has not listed in the Complaint because it has been unable to identify the source of the infringing products.

209. To the best of Litepanels' knowledge, most infringing LED photographic lighting devices sold in the United States are manufactured in Asia, and in China specifically. Infringing LED photographic lighting devices, including those of the proposed Respondents, are offered regularly for sale and sold via the Internet. (*See* Fisher Decl. at ¶¶ 6-8, 10, 12.)

210. In addition to the proposed Respondents' websites, infringing LED photographic lighting devices are offered for sale and sold via the websites of auctions, distributors, and retailers that do not typically identify the source of products. For example, the online auction eBay lists infringing LED photographic lighting devices but only identifies the following information regarding the source of the device: "We are profession [sic] factory in China. Welcome wholesale to contact us. Email:buy081@gmail.com." (*See* Fisher Decl. at ¶ 7, Exhibit A (screen shot taken June 9, 2011 from eBay auction).) Another eBay auction listed by an eBay user by the name of "china_lighting" sells infringing LED photographic lighting devices, and lists Hong Kong as the item location. *See* Fisher Decl. at ¶ 7, Exhibit B (screen shot taken June 9, 2011 from eBay auction).)

211. On July 21st, 2011 there were approximately 3263 LED-based video lighting devices for sale on eBay; many shipping from Hong Kong for significantly less than what Litepanels can sell its products for. (*See* Fisher Decl. at ¶ 8.)

212. Some of the products sold on these auction sites are not shipped with original packaging, and are not marked with a country of origin on the products themselves. This makes it difficult to identify the origin of products, as well as the identity of the manufacturers. (*See* Fisher Decl. at ¶ 10.) There is a vast pattern of this type of behavior. (*See* Fisher Decl. at ¶ 10, Exhibits C-L.)

213. Litepanels, Inc.'s domestic dealers, who benefit from patent licenses, have complained that the value of their license is substantially diminished by the prevalence of infringing goods imported from China, and have asked Litepanels to enforce its intellectual property rights to prevent such imports. (*See* Fisher Decl. at ¶ 8.) At least one of Litepanels, Inc.'s domestic licensees has specifically complained about the prevalence of infringing imports available from online websites. (*Id.*)

214. Litepanels has found it difficult to determine the identity of foreign manufacturers through import records. First, the photographic lighting industry is a relatively small market and the publicly available data on many of the import records is limited (or non-existent) and when available, typically has only very general categories of products, such as "stage lighting" or "LED Lights." (*See* Fisher Decl. at ¶ 9.) Moreover, many bills of lading from China mask the manufacturer/supplier with a common importer, such as Yuyao Lily Collection Co., Ltd. (*See* Exhibits 68-69.) There is very little, if any, information available about these common importers, making it difficult to identify the Chinese manufacturers of the products being shipped via these common importers. (*See* Fisher Decl. at ¶ 9.)

215. In a further effort to identify foreign manufacturers of infringing devices, Litepanels has attended various trade shows. (*See* Fisher Decl. at ¶ 11.) In 2010 alone, Litepanels attended as many as 15 trade shows. Additionally, Litepanels attended the industry's

largest show, the National Association of Broadcasters (NAB) Tradeshow in Las Vegas in April 2011 where it identified products from at least 15 foreign companies that were being demonstrated, and that appeared to infringe Litepanels' patents, including from proposed Respondent Shantou. (*See* Fisher Decl. at ¶ 11.) Not only did Shantou demonstrate products that were apparent copies of Litepanels, Inc.'s products, they had also obviously copied Litepanels, Inc.'s marketing material. (*Id.*)

216. Upon information and belief, distributors also often obtain LED photographic lighting devices from multiple manufacturers, making it possible that a purchase from a given distributor may come from one of multiple potential manufacturers.

B. Likely Circumvention of an Exclusion Order Limited to Products of Named Respondents

217. Circumvention of a limited exclusion order is also likely given the number and identity of entities violating Section 337 and the relevant business conditions and distribution networks. Some of the named Respondents, and companies like the Respondents, frequently change their names or reorganize, making it specifically difficult to enforce against any successor entities or distributors and to identify additional sources of infringing products. The established demand and existing distribution networks further make circumvention highly likely.

218. On information and belief, at least the Huanynu Proposed Respondents have changed their suppliers' names. Tianjin Wuqing is a confirmed supplier to Cool Lights. This company is now likely called Taiyang Movie and Television Equipment Co., Ltd., and they have very similar products to the Cool Lights products. Additionally, the product names and websites are similar. Therefore, it appears as if the Respondents can easily change names and

obfuscate the source of products to continue importing infringing LED photographic lighting devices.

219. Also, on information and belief, proposed Respondent Prompter People has changed corporate structure in an apparent effort to circumvent Litepanels' enforcement efforts. (See Fisher Decl. at ¶ 13.) Prompter People has also circumvented Litepanels' enforcement efforts by violating agreements. Fisher Declaration at ¶ 14 describes Prompter People's circumvention efforts in more detail.

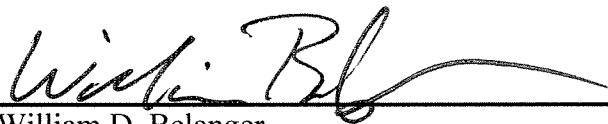
220. Now, three separate companies all use the same address as Prompter People: Prompter People, FloLight, and a new company called Draco Broadcast, Inc.

XIV. RELIEF

221. WHEREFORE, by reason of the foregoing, Litepanels requests that the United States International Trade Commission:

- a. Institute an investigation pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, with respect to the proposed respondents' violations of Section 337 based on the importation into the United States, the sale for importation into the United States, and/or the sale within the United States after importation of LED photographic lighting devices and components thereof that infringe the '117, '823, '290, '022 and '652 patents;
- b. Schedule and conduct a hearing on permanent relief pursuant to 19 U.S.C. § 1337(d) and (f) of the Tariff Act of 1930, as amended;
- c. Issue a permanent General Exclusion pursuant to 19 U.S.C. § 1337(d), excluding from entry into the United States all LED photographic lighting devices that infringe the '117, '823, '290, '022 and '652 patents;

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William D. Belanger", written over a horizontal line.

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