

ITC Rules in Favor of Wiley Rein Client SolarWorld in Final Injury Vote in Trade Cases Against China, Taiwan

January 22, 2015

Yesterday, the U.S. International Trade Commission (ITC) ruled in favor of Wiley Rein client SolarWorld, finding that the U.S. solar manufacturing industry was injured by imports of solar modules from China, and solar cells and modules from Taiwan. The commission voted 5-0 with regard to China and 4-1 with regard to Taiwan. The votes, which were covered in *Law360's* International Trade newsletter, were the final step in SolarWorld's second set of trade cases and the company's tenth consecutive victory in those cases.

International Trade Practice partner Timothy C. Brightbill led the Wiley Rein team advising SolarWorld in this year-long case. Other team members included Nova J. Daly, Laura El-Sabaawi, Usha Neelakantan, Tessa Capeloto, Richard DiDonna, and Paul A. Zucker.

Commenting on the ruling, Mr. Brightbill said: "This is an important decision that will go a long way toward leveling the playing field in the international solar market, and will provide the opportunity for American solar manufacturers to succeed, create new jobs for American workers, and stimulate economic growth. On behalf of our client, we are extremely pleased with this result."

On December 16, 2014, the U.S. Department of Commerce announced antidumping duty rates of 52.13% and anti-subsidy rates of 38.72% on most imports of solar panels made in China, and antidumping rates of 19.50% on most imports of solar cells made in Taiwan, regardless of where they are assembled into panels. In separate SolarWorld cases concluded in December 2012, Commerce imposed duties averaging about 29% on solar cells from China,

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regardless of where they are assembled into panels. Until SolarWorld filed the second set of trade cases, the Chinese industry had largely evaded the earlier duties by using cells made in Taiwan.