

JIAXING SUPER LIGHTING ELECTRIC APPLIANCE, CO., LTD. v. CH LIGHTING TECHNOLOGY CO., LTD., Appeal No. 2023-1715 (Fed. Cir. July 28, 2025). Before Dyk, Chen, and Hughes. Appealed from W.D. Tex. (Judge Albright).

Background:

Super Lighting sued CH Lighting alleging infringement of three patents. Two of the patents were directed toward LED tube lamps, and one was directed toward a shock-protection circuit for those lamps.

CH Lighting admitted to infringement with respect to the two patents directed toward LED tube lamps, but it also argued that these patents should be invalid based on the on-sale bar. The district court excluded evidence that Super Lighting offered products embodying these inventions for sale prior to the effective filing date. The only evidence remaining on this issue was expert testimony, which the district court found was not enough on its own. Therefore, the district court granted a motion for Judgement as a Matter of Law (“JMOL”) that the two patents were not invalid.

The jury found that the remaining patent was valid and infringed. Thus, based on infringement of all three patents, the jury awarded nearly \$14 million in damages which the district court then doubled upon finding that infringement was willful.

Issue/Holding:

Did the district court err in granting JMOL that the two patents directed toward LED tube lamps were not invalid? Yes, reversed-in-part, vacated-in-part, and remanded.

Discussion:

The Federal Circuit agreed with the district court that expert testimony alone is not enough for a finding that the invention was on sale before the effective filing date. However, the Federal Circuit held that the district court abused its discretion in excluding the other relevant evidence.

The primary piece of evidence was an offer of sale with the LED tube’s specifications. This was not entered into evidence at trial because the witness identified as being able to authenticate the evidence was not available for trial, and the district court did not allow another witness to authenticate the documents due to a lack of sufficient notice. The Federal Circuit held that no Federal Rule or local rule requires a party to identify in advance which witness would authenticate evidence. Other evidence of an offer for sale was not admitted because that evidence was allegedly directed toward inequitable conduct—a count that had been dropped prior to trial—and because it was directed toward LED tubes with a different wattage. The Federal Circuit disagreed that the evidence was solely directed toward inequitable conduct. Further, the Federal Circuit held that the claims at issue are not concerned with wattage. For these reasons, the court held that the district court erred in failing to admit this evidence.

The Federal Circuit then remanded for a new trial directed toward validity of the two patents and also remanded the case for a determination of damages on the grounds that apportionment is required, as the initial damages calculation was based on damages of all three patents together.