

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

**AUXIN SOLAR INC., CONCEPT CLEAN ENERGY,
INC.,**
Plaintiffs-Appellees

v.

**UNITED STATES, DEPARTMENT OF COMMERCE,
HOWARD LUTNICK, Secretary of Commerce,
UNITED STATES CUSTOMS AND BORDER
PROTECTION, RODNEY S. SCOTT, Commissioner
of U.S. Customs and Border Protection,**
Defendants

**AMERICAN CLEAN POWER ASSOCIATION,
CANADIAN SOLAR (USA), INC., CANADIAN SOLAR
INTERNATIONAL LIMITED, SOLAR ENERGY
INDUSTRIES ASSOCIATION, JA SOLAR USA, INC.,
JA SOLAR VIETNAM COMPANY LTD., JA SOLAR
MALAYSIA SDN. BHD., JA SOLAR
INTERNATIONAL LTD., NEXTERA ENERGY, INC.,
BYD (H.K.) CO., LTD., BYD AMERICA LLC,
INVENERGY RENEWABLES LLC, INVENERGY
SOLAR EQUIPMENT MANAGEMENT LLC, TRINA
SOLAR (U.S.) INC., TRINA SOLAR (VIETNAM)
SCIENCE & TECHNOLOGY CO., LTD., TRINA
SOLAR ENERGY DEVELOPMENT CO. LTD., TRINA
SOLAR SCIENCE & TECHNOLOGY (THAILAND)
LTD., RISEN SOLAR TECHNOLOGY SDN. BHD.,
BOVIET SOLAR TECHNOLOGY CO., LTD., BOVIET
SOLAR USA., LTD., JINKO SOLAR (U.S.)**

**INDUSTRIES INC., JINKOSOLAR (U.S.) INC.,
JINKO SOLAR TECHNOLOGY SDN. BHD., JINKO
SOLAR (MALAYSIA) SDN. BHD., JINKOSOLAR
(VIETNAM) CO., LTD., JINKOSOLAR HOLDING
CO., LTD., JINKOSOLAR MIDDLE EAST DMCC,
JINKOSOLAR (VIETNAM) INDUSTRIES CO. LTD.,
JINKOSOLAR INVESTMENT LTD., fka Jinkosolar
Technology Ltd.,
*Defendants-Appellants***

2025-2120

Appeal from the United States Court of International
Trade in No. 1:23-cv-00274-TMR, Judge Timothy M. Reif.

**AUXIN SOLAR INC., CONCEPT CLEAN ENERGY,
INC.,
*Plaintiffs-Appellees***

v.

**UNITED STATES, DEPARTMENT OF COMMERCE,
HOWARD LUTNICK, Secretary of Commerce,
UNITED STATES CUSTOMS AND BORDER
PROTECTION, RODNEY S. SCOTT, Commissioner
of U.S. Customs and Border Protection,
*Defendants-Appellants***

**AMERICAN CLEAN POWER ASSOCIATION,
CANADIAN SOLAR (USA), INC., CANADIAN SOLAR
INTERNATIONAL LIMITED, SOLAR ENERGY
INDUSTRIES ASSOCIATION, JA SOLAR USA, INC.,
JA SOLAR VIETNAM COMPANY LTD., JA SOLAR
MALAYSIA SDN. BHD., JA SOLAR
INTERNATIONAL LTD., NEXTERA ENERGY, INC.,**

AUXIN SOLAR INC. v. US

3

**BYD (H.K.) CO., LTD., BYD AMERICA LLC,
INVENERGY RENEWABLES LLC, INVENERGY
SOLAR EQUIPMENT MANAGEMENT LLC, TRINA
SOLAR (U.S.) INC., TRINA SOLAR (VIETNAM)
SCIENCE & TECHNOLOGY CO., LTD., TRINA
SOLAR ENERGY DEVELOPMENT CO. LTD., TRINA
SOLAR SCIENCE & TECHNOLOGY (THAILAND)
LTD., RISEN SOLAR TECHNOLOGY SDN. BHD.,
BOVIET SOLAR TECHNOLOGY CO., LTD., BOVIET
SOLAR USA., LTD., JINKO SOLAR (U.S.)
INDUSTRIES INC., JINKOSOLAR (U.S.) INC.,
JINKO SOLAR TECHNOLOGY SDN. BHD., JINKO
SOLAR (MALAYSIA) SDN. BHD., JINKOSOLAR
(VIETNAM) CO., LTD., JINKOSOLAR HOLDING
CO., LTD., JINKOSOLAR MIDDLE EAST DMCC,
JINKOSOLAR (VIETNAM) INDUSTRIES CO. LTD.,
JINKOSOLAR INVESTMENT LTD., fka Jinkosolar
Technology Ltd.,
*Defendants***

2026-1072

Appeal from the United States Court of International
Trade in No. 1:23-cv-00274-TMR, Judge Timothy M. Reif.

ON MOTION

O R D E R

The United States, the United States Department of
Commerce, United States Customs and Border Protection,
Secretary of Commerce Howard Lutnick, and Commis-
sioner Rodney Scott move unopposed to voluntarily dismiss
their Appeal No. 2026-1072 pursuant to Federal Rule of

Appellate Procedure 42(b). Appellants in Appeal No. 2025-2120 move unopposed to extend by 30 days, to March 12, 2026, the time to file their opening brief.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The government parties' motion is granted. Appeal No. 2026-1072 is deconsolidated from Appeal No. 2025-2120, Appeal No. 2026-1072 is voluntarily dismissed, and each party shall bear its own costs as to Appeal No. 2026-1072.

(2) The revised official captions are reflected in this order.

(3) The motion to extend time is granted. Appellants' opening brief in Appeal No. 2025-2120 is due no later than March 12, 2026. No further extensions for the opening brief should be anticipated.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

February 5, 2026
Date

ISSUED AS A MANDATE (as to 2026-1072 only):
February 5, 2026