

**UNITED STATES INTERNATIONAL TRADE COMMISSION**  
**Washington, D.C.**

**In the Matter of**

**CERTAIN CHILD RESISTANT CLOSURES  
WITH SLIDER DEVICES HAVING A USER  
ACTUATED INSERTABLE TORPEDO  
FOR SELECTIVELY OPENING THE  
CLOSURES AND SLIDER DEVICES  
THEREFOR**

**Investigation No. 337-TA-1171**

**NOTICE OF COMMISSION DETERMINATION TO EXTEND THE TARGET DATE  
FOR COMPLETION OF THE INVESTIGATION**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to extend until August 27, 2020, the target date for completion of the above-captioned investigation.

**FOR FURTHER INFORMATION CONTACT:** Richard P. Hadorn, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3179. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal, telephone (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** On August 21, 2019, the Commission instituted this investigation based on a complaint filed by Reynolds Presto Products Inc. ("Presto"). 84 FR 43616-17 (Aug. 21, 2019). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337) ("section 337") based on the importation into the United States, the sale for importation, or the sale within the United States after importation of certain child resistant closures with slider devices having a user actuated insertable torpedo for selectively opening the closures and slider devices therefor by reason of infringement of certain claims of U.S. Patent Nos. 9,505,531 ("the '531 patent"); 9,554,628; and 10,273,058 ("the '058 patent") (collectively, the "Asserted Patents"). *Id.* at 43616. The complaint further alleges that a domestic industry exists. *Id.* The Commission's notice of investigation names six respondents: Dalian Takebishi Packing Industry Co., Ltd. of Dalian, China ("Dalian Takebishi"); Dalian Altma Industry Co., Ltd. of Dalian, Liaoning, China ("Dalian Altma") (collectively, the "Dalian

Respondents”); and Japan Takebishi Co., Ltd., of Tokyo, Japan; Takebishi Co., Ltd., of Shiga, Japan; Shanghai Takebishi Packing Material Co., Ltd., of Shanghai, China; and Qingdao Takebishi Packing Industry Co., Ltd., of Qingdao, China (collectively, the “Unserved Respondents”). *Id.* at 43616-17. It also names the Office of Unfair Import Investigations (“OUII”) as a party. *Id.* at 43617.

On October 7, 2019, the ALJ issued an ID finding the two Dalian Respondents in default. Order No. 7 (Oct. 30, 2019), *unreviewed by* Comm’n Notice (Nov. 26, 2019). On November 19, 2019, the ALJ issued an ID terminating the investigation in part based on Presto’s withdrawal of the complaint as to the Unserved Respondents, which were never served with the complaint. Order No. 10 (Nov. 19, 2019), *unreviewed by* Comm’n Notice (Dec. 18, 2019). That ID also terminated the investigation as to (i) claims 6 and 7 of the ’531 patent and (ii) claims 6 and 7 of the ’058 patent. *Id.*

On November 15, 2019, Presto filed a motion for summary determination that the domestic industry requirement was satisfied and that a violation had been established. Presto’s motion requested immediate entry of a limited exclusion order (“LEO”) against the Dalian Respondents, a GEO, and a 100 percent bond. On November 26, 2019, OUII filed a response to the motion supporting the summary determination motion and the requested GEO and 100 percent bond during the period of Presidential review.

On April 21, 2020, the ALJ issued an ID granting summary determination of violation of section 337 by the Dalian Respondents. The ID also contains the ALJ’s recommendation on remedy and bonding, in which the ALJ recommends issuance of a GEO or, in the alternative, a LEO directed to the Dalian Respondents, and that a 100 percent bond be set for importation during the period of Presidential review.

On May 1, 2020, OUII filed a petition seeking review of portions of the ID’s analysis of the economic prong of the domestic industry requirement. No other party petitioned for review of the ID, and no party filed a response to OUII’s petition.

On June 5, 2020, the Commission determined to review the ID in part with respect to the ID’s analysis of the economic prong of the DI requirement. 85 FR 35662, 35663 (June 11, 2020). The Commission’s notice also requested written submissions on remedy, the public interest, and bonding. *Id.* On June 11 and 12, 2020, Presto and OUII, respectively, filed written submissions in response to the Commission’s notice. On June 19, 2020, OUII filed a reply submission. No other submissions were received.

The Commission has determined to extend until August 27, 2020, the target date for completion of this investigation.

The Commission vote for this determination took place on August 11, 2020.

The authority for the Commission’s determinations is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission’s Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', written in a cursive style.

Lisa R. Barton  
Secretary to the Commission

Issued: August 11, 2020