UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of	
CERTAIN PLANT-DERIVED RECOMBINANT HUMAN SERUM ALBUMINS ("rHSA") AND PRODUCTS CONTAINING SAME	**Investigation No. 337-TA-1238**

NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL DETERMINATION FINDING THREE RESPONDENTS IN DEFAULT

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 13) finding Respondents Aspira Scientific, Inc. ("Aspira"); eEnzyme LLC ("eEnzyme"); and ScienCell Research Laboratories, Inc. ("ScienCell") (collectively, "the Defaulting Respondents") in default.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, D.C. 20436, telephone (202) 205-2392. 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. 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 on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on January 25, 2021, based on a complaint filed on behalf of Ventria Bioscience Inc. ("Ventria") of Junction City, Kansas. 86 FR 6916 (Jan. 25, 2021). The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain plant-derived recombinant human serum albumins ("rHSA") and products containing same by reason of infringement of certain claims of U.S. Patent Nos. 10,618,951 and 8,609,416. *Id*. The complaint also alleged violations of section 337 based on the importation into the United States, or in the sale of, certain plant-derived recombinant human

serum albumins ("rHSA") and products containing same by reason of false designation of origin, the threat or effect of which is to destroy or substantially injure an industry in the United States. *Id.* The notice of investigation named four respondents: Wuhan Healthgen Biotechnology Corp. of Wuhan, China; ScienCell of Carlsbad, California; Aspira of Milpitas, California; and eEnzyme of Gaithersburg, Maryland. *Id*. at 6917. The Office of Unfair Import Investigations ("OUII") is also named as a party in this investigation. *Id.*

On March 18, 2021, Complainant Ventria moved pursuant to 19 CFR 210.16 for: (1) an order directing the Defaulting Respondents to show cause why they should not be found in default for failing to respond to the complaint and notice of investigation; and (2) an initial determination finding the Defaulting Respondents in default upon their failure to show cause. *See* Order No. 13 at 1-2 (July 28, 2021). Each of these respondents were served with the complaint and notice of investigation. *Id.* at 2. OUII filed a response in support of the motion.

On April 26, 2021, the ALJ issued Order No. 8 requiring the Defaulting Respondents to show cause, no later than May 10, 2021, as to why they should not be held in default for failing to respond to the complaint and notice of investigation. *Id.* at 1. No response to Order No. 8 was received from any of the Defaulting Respondents. *Id*.

On July 28, 2021, the ALJ issued the subject ID (Order No. 13) finding the Defaulting Respondents in default pursuant to 19 CFR 210.16, for failure to respond to the complaint and notice of investigation. *Id.* at 2. No petitions for review were filed.

The Commission has determined not to review the subject ID. Respondents Aspira, eEnzyme, and ScienCell have been found in default.

While temporary remote operating procedures are in place in response to COVID-19, the Office of the Secretary is not able to serve parties that have not retained counsel or otherwise provided a point of contact for electronic service. Accordingly, pursuant to Commission Rules 201.16(a) and 210.7(a)(1) (19 CFR 201.16(a), 210.7(a)(1)), the Commission orders that the Complainant complete service for any party without a method of electronic service noted on the attached Certificate of Service and shall file proof of service on the Electronic Document Information System (EDIS).

The Commission vote for this determination took place on August 18, 2021.

The authority for the Commission's determination 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.

Lisa R. Barton
Secretary to the Commission

Issued: August 18, 2021