

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

**In the Matter of**

**CERTAIN FLOCKED SWABS,  
PRODUCTS CONTAINING FLOCKED  
SWABS, AND METHODS OF USING  
SAME**

**Investigation No. 337-TA-1279**

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL  
DETERMINATION FINDING A RESPONDENT 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 an initial determination (“ID”) (Order No. 27) of the presiding Administrative Law Judge (“ALJ”) finding respondent Hunan Runmei Gene Technology Co., Ltd. of Changsha, Hunan, China (“Runmei”) in default.

**FOR FURTHER INFORMATION CONTACT:** Michael Liberman, Esq., 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](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 on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** On September 2, 2021, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), based on a complaint filed by Copan Italia S.p.A. and Copan Industries, Inc. 86 FR 49343-44 (Sep. 2, 2021). The complaint alleges a violation of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain flocked swabs, products containing flocked swabs, and methods of using same by reason of infringement of certain claims of U.S. Patent Nos. 9,011,358; 9,173,779; and 10,327,741. The complaint also alleges the existence of a domestic industry. The notice of investigation names Han Chang Medic of Chungnam, Republic of Korea; Wuxi NEST Biotechnology Co., Ltd. of Wuxi, Jiangsu, China; NEST Scientific Inc. of Rahway, New Jersey; NEST Scientific USA of Rahway, New Jersey; Miraclean Technology Co., Ltd. of Shenzhen,

Guangdong, China; Vectornate Korea Ltd. of Jangseong, Republic of Korea; Vectornate USA, Inc. of Mahwah, New Jersey; Innovative Product Brands, Inc. of Highland, California; Thomas Scientific, Inc. of Swedesboro, New Jersey; Thomas Scientific, LLC of Owings Mills, Maryland; Cardinal Health, Inc. of Dublin, Ohio; KSL Biomedical, Inc. of Williamsville, New York and KSL Diagnostics, Inc. of Williamsville, New York; Jiangsu Changfeng Medical Industry Co., Ltd. of Yangzhou, Jiangsu, China; No Borders Dental Resources, Inc., dba MediDent Supplies of Queen Creek, Arizona; BioTeke Corporation (Wuxi) Co., Ltd. of Wuxi, Jiangsu, China; Fosun Pharma USA Inc. of Princeton, New Jersey; Runmei; VWR International, LLC of Radnor, Pennsylvania; and Slmp, LLC dba StatLab Medical Products of McKinney, Texas as respondents. *Id.* at 49343-44. The Commission’s Office of Unfair Import Investigations (“OUII”) is also named as a party in this investigation. *Id.* at 49344.

On October 12, 2021, respondent Runmei filed a “Notice of Election to Default.” In its notice, Runmei states that it, “having considered the ongoing burden and expense of participation in this investigation, hereby elects to raise no further defense in this investigation and default.” Notice at 1.

On November 15, 2021, the ALJ issued the subject ID finding Runmei in default. The ID notes that although Runmei’s deadline to respond to the complaint and notice of investigation was extended from September 28, 2021, to October 15, 2021, as of the date of the subject ID, Runmei had not responded to the complaint and notice investigation. ID at 2 (citing Order No. 5 (Sept. 5, 2021)).

The ID notes that because Runmei failed to respond to the complaint and notice of investigation, Commission Rule 210.16(b)(3), is the applicable provision. *Id.* (citing 19 C.F.R. § 210.16(b)(3)). The ID notes that under this provision, “[i]f a proposed respondent has not filed a response to the complaint and notice of investigation pursuant to § 210.13 or § 210.59(c) of this chapter, the proposed respondent may file a notice of intent to default under this section.” *Id.* (citations omitted). The ID further notes that if a respondent files such a notice, the presiding ALJ “shall issue an initial determination finding the proposed respondent in default.” *Id.* (citations omitted). The ID also notes that the ALJ does not need to issue a show-cause order before doing so but can issue the initial determination “upon the filing of a notice of intent to default.” *Id.* (citing 19 C.F.R. § 210.16(b)(3); Notice of Final Rulemaking, 78 FR 23474-487 at 23475 (Apr. 19, 2013) (“The Commission has further clarified that a respondent’s filing of a notice of intent to default eliminates the need for an order to show cause why the respondent should not be found in default.”)).

The ID finds that, accordingly, in view of Runmei’s Notice of Election to Default, Respondent Runmei is found in default. The ID states that, as a defaulting party, under Commission Rule 210.16(b)(4) (19 C.F.R. § 210.16(b)(4)), Runmei has waived its right to appear, be served with documents, and to contest the allegations at issue in this investigation. *Id.* No party petitioned for review of the ID.

The Commission has determined not to review the subject ID. The Commission finds respondent Runmei in default.

The Commission vote for this determination took place on December 6, 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: December 6, 2021