

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN RESEALABLE PACKAGES
WITH SLIDER DEVICES**

Investigation No. 337-TA-962

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING IN PART COMPLAINANT'S MOTION FOR
SUMMARY DETERMINATION THAT IT HAS SATISFIED THE ECONOMIC PRONG
OF THE DOMESTIC INDUSTRY REQUIREMENT**

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. 8) of the presiding administrative law judge ("ALJ") granting-in-part complainant's motion for summary determination that it has satisfied the economic prong of the domestic industry requirement.

FOR FURTHER INFORMATION CONTACT: Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2310. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.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 July 20, 2015, based on a complaint filed on behalf of Reynolds Presto Products Inc. of Appleton, Wisconsin. 80 *Fed. Reg.* 42839-40. The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, based upon the importation in the United States, the sale for importation, and the sale within the United States after importation of certain resealable packages with slider devices by reason of infringement of certain claims of U.S. Patent Reexamination Certificate No. 6,427,421 and U.S. Patent Nos: 6,524,002 and 7,311,443. The complaint further alleges the existence of a domestic industry. The Commission's notice of investigation named Inteplast Group, Ltd. of Livingston, New Jersey and Minigrip, LLC of

Alpharetta, Georgia. The Office of Unfair Import Investigations is participating in this investigation.

On January 27, 2016, complainant moved for summary determination that it has satisfied the economic prong of the domestic industry requirement under 19 U.S.C. §§ 1337(a)(3)(A)-(C). The Commission investigative attorney filed a response in support of the motion at least as to sections 337(a)(3)(A) and (B). Respondents did not oppose the motion.

On February 11, 2016, the ALJ issued the subject ID (Order No. 8) granting-in-part complainant's motion for summary determination that it has satisfied the economic prong of the domestic industry requirement under 19 U.S.C. §§ 1337(a)(3)(A) and (B) for all asserted patents. The ALJ found that complainant provided undisputed evidence showing its manufacturing-related investments in plant, equipment, and labor at its facilities and found that these investments are significant in relation to the articles protected by the intellectual property right. No party petitioned for review.

The Commission has determined not to review the subject ID.

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 C.F.R. Part 210.

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', with a stylized flourish at the end.

Lisa R. Barton
Secretary to the Commission

Issued: March 14, 2016