

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

**In the Matter of**

**CERTAIN APPARATUS AND METHODS  
OF OPENING CONTAINERS**

**Investigation No. 337-TA-1255**

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION FINDING CERTAIN 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 an initial determination (“ID”) (Order No. 8) of the presiding chief administrative law judge (“CALJ”) finding certain respondents in default based on failure to respond to the complaint and notice of investigation and failure to show cause why they should not be found in default.

**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 March 18, 2021, the Commission instituted this investigation based on a complaint filed by Draft Top, LLC (“Draft Top”) of Long Beach, New Jersey. 86 FR 14765 (Mar. 18, 2021). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), based on the importation into the United States, the sale for importation, and the sale within the United States after importation of certain apparatus and methods of opening containers by reason of infringement of claim 12 of U.S. Patent No. 10,519,016. *Id.* The complaint further alleges that a domestic industry exists. *Id.* The notice of investigation named nine respondents: KKS Enterprises Co., Ltd. of Hangzhou, China; Kingskong Enterprises Co., Ltd. of Hangzhou, China; Du Zuojun of Shenzhen, Guangdong, China; WN Shipping USA, Inc. of Inwood, New York; Shuje Wei of Pomona, California; Express Cargo Forwarded, Ltd. of Los Angeles, California; Hou Wenzheng

of Hebron, Kentucky (collectively, the “Defaulting Respondents”); Mintiml of Yangzhou, Jiangsu, China; and Tofba International, Inc. (“Tofba”) of Hawthorne, California. *Id.* The Office of Unfair Import Investigations is also named as a party. *Id.*

On May 27, 2021, the Commission determined to terminate the investigation as to respondent Tofba based on withdrawal of the allegations in the complaint directed to Tofba. Order No. 6 (May 12, 2021), *unreviewed by* Comm’n Notice (May 27, 2021).

The complaint and notice of investigation were served on each of the Defaulting Respondents on March 17, 2021. Order No. 7 at 3 (June 16, 2021). On June 1, 2021, Draft Top moved for an order directing the Defaulting Respondents and respondent Mintiml to show cause why they should not be found in default for failing to respond to the complaint and notice of investigation. On June 11, 2021, OUII filed a response in support of Draft Top’s motion as to the Defaulting Respondents, but not as to respondent Mintiml because service was not yet completed as to that respondent. No other responses were filed.

On June 16, 2021, the CALJ issued Order No. 7 directing the Defaulting Respondents to show cause, no later than July 7, 2021, as to why they should not be found in default for failing to respond to the complaint and notice of investigation. Order No. 7 at 4. None of the Defaulting Respondents filed a response to Order No. 7.

On July 12, 2021, the CALJ issued the subject ID (Order No. 8) finding the Defaulting Respondents in default, pursuant to Commission Rule 210.16 (19 CFR 210.16). ID at 1-2. No petitions for review of the subject ID were filed.

The Commission has determined not to review the subject ID. The following seven respondents are in default in this investigation: (1) KKS Enterprises Co., Ltd.; (2) Kingskong Enterprises Co., Ltd.; (3) Du Zuojun; (4) WN Shipping USA, Inc.; (5) Shuje Wei; (6) Express Cargo Forwarded, Ltd.; and (7) Hou Wenzheng.

The Commission vote for this determination took place on July 29, 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: July 30, 2021