

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, D.C.

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In the Matter of )  
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**CERTAIN PLASTIC FOOD** ) **Investigation No. 337-TA-514**  
**CONTAINERS** )  
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**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN  
INITIAL DETERMINATION FINDING TWO 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”) (ALJ Order No. 7) of the presiding administrative law judge (“ALJ”) in the above-captioned investigation finding respondents Taizhou Huasen Household Necessities, Co., Ltd. (“Taizhou”) and Jiangsu Sainty Corporation, Ltd. (“Jiangsu”) in default.

**FOR FURTHER INFORMATION CONTACT:** Michael Diehl, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3095. General information concerning the Commission may also be obtained by accessing its Internet server (<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 the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

**SUPPLEMENTARY INFORMATION:** By a notice dated June 22, 2004, the Commission instituted an investigation into alleged violations of section 337 in the importation and sale of certain plastic food containers by reason of infringement of certain claims of U.S. Patent No. 6,056,138, of U.S. Patent No. 6,196,404, and of U.S. Design Patent No. D 415,420.

On August 19, 2004, complainant Newspring Industrial Corp. moved for an order directing that Taizhou and Jiangsu show cause as to why they should not be found in default for failure to respond to the complaint and notice of investigation. Complainant also asked for an order finding respondents in default if they failed to show cause.

On August 30, 2004, the ALJ issued Order No. 5, directing respondents to show cause why they should not be held in default no later than September 17, 2004. Neither respondent responded to the order. On October 12, 2004, the ALJ issued the subject ID finding the respondents in default. No party petitioned for review of the ID.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended

(19 U.S.C. § 1337), and section 210.42 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.42).

Copies of the ID and all other nonconfidential documents filed in connection with this investigation are 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.

By order of the Commission.

Marilyn R. Abbott  
Secretary to the Commission

Issued: November 23, 2004