UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of **CERTAIN INTRAVASCULAR ADMINISTRATION SETS AND COMPONENTS THEREOF**	**Investigation No. 337-TA-1048**

LIMITED EXCLUSION ORDER

The Commission has found Yangzhou WeiDeLi Trade Co., Ltd. of Yangzhou, China ("Respondent") in default for failing to respond to a Notice of Investigation and a Complaint that alleged a violation of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), with respect to the unlawful importation into the United States, sale for import into the United States, and/or sale within the United States after importation of certain intravascular administration sets and components thereof by reason of infringement of claims 1-3 of U.S. Patent No. 6,371,732 ("the '732 patent") and claims 1-34 of U.S. Patent No. 6,164,921 ("the '921 patent").

Having reviewed the record of this investigation, including the written submissions of the parties, the Commission has made its determination on the issues of remedy, the public interest, and bonding. The Commission has determined that the appropriate form of relief is a limited exclusion order prohibiting the unlicensed entry of covered intravascular administration sets and components thereof manufactured abroad by or on behalf of, or imported by or on behalf of, Respondent or any of its affiliated companies, parents, subsidiaries, licensees, or other related business entities, or their successors or assigns.

The Commission has determined that the public interest factors enumerated in 19 U.S.C. § 1337(g)(1) do not preclude issuance of the limited exclusion order and that there shall be a

bond of 100% of the entered value for all covered intravascular administration sets and components thereof during the period of Presidential review.

Accordingly, the Commission hereby **ORDERS** that:

1. Intravascular administration sets and components thereof that are covered by one or more of claims 1-3 of the '732 patent and claims 1-34 of the '921 patent and that are manufactured abroad by or on behalf of, or imported by or on behalf of, Respondent or any of its affiliated companies, parents, subsidiaries, or other related business entities, or their successors or assigns, are excluded from entry for consumption into the United States, entry for consumption from a foreign trade zone, or withdrawal from a warehouse for consumption, for the remaining term of the patents, except under license of the patent owner or as provided by law.

2. Notwithstanding paragraph 1 of this Order, the aforesaid intravascular administration sets and components thereof are entitled to entry into the United States for consumption, entry for consumption from a foreign-trade zone, or withdrawal from a warehouse for consumption under bond in the amount of 100% of the entered value of such articles pursuant to subsection (j) of Section 337 (19 U.S.C. § 1337(j)) and the Presidential Memorandum for the United States Trade Representative of July 21, 2005 (70 Fed. Reg. 43,251), from the day after this Order is received by the United States Trade Representative until such time as the United States Trade Representative notifies the Commission that this Order is approved or disapproved but, in any event, not later than sixty (60) days after the date of receipt of this Order.

3. At the discretion of U.S. Customs and Border Protection ("CBP") and pursuant to procedures that it establishes, persons seeking to import intravascular administration sets and components thereof that are potentially subject to this Order may be required to certify that they

are familiar with the terms of this Order, that they have made appropriate inquiry, and thereupon state that, to the best of their knowledge and belief, the products being imported are not excluded from entry under paragraph 1 of this Order. At its discretion, CBP may require persons who have provided the certification described in this paragraph to furnish such records or analyses as are necessary to substantiate the certification.

4. In accordance with 19 U.S.C. § 1337(l), the provisions of this Order shall not apply to intravascular administration sets and components thereof imported by and for the use of the United States, or imported for, and to be used for, the United States with the authorization or consent of the Government.

5. The Commission may modify this Order in accordance with the procedures described in section 210.76 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.76).

6. The Secretary shall serve copies of this Order upon each party of record in this investigation and upon CBP.

7. Notice of this Order shall be published in the *Federal Register*.

By order of the Commission.

Lisa R. Barton
Secretary to the Commission

Issued: August 4, 2017

CERTAIN INTRAVASCULAR ADMINISTRATION SETS AND COMPONENTS THEREOF **Inv. No. 337-TA-1048**

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **LIMITED EXCLUSION ORDER** has been served by hand upon the Commission Investigative Attorney, **Paul Gennari, Esq.**, and the following parties as indicated, on 8/4/2017

Lisa R. Barton, Secretary
U.S. International Trade Commission
500 E Street, SW, Room 112
Washington, DC 20436

On Behalf of Complainants Curlin Medical Inc., ZEVEX, Inc., and Moog Inc.:

Sarah N. Miller, Esq.
HODGSON RUSS LLP
140 Pearl Street, Suite 100
Buffalo, NY 14202

☐ Via Hand Delivery
☐ Via Express Delivery
☒ Via First Class Mail
☐ Other:_____

Respondents:

Yangzhou WeiDeLi Trade Co., Ltd.
No. 287, Yangzijiang M. Rd.
Yangzhou, China P. C. 225009

☐ Via Hand Delivery
☐ Via Express Delivery
☒ Via First Class Mail
☐ Other:_____