



7020-02

## INTERNATIONAL TRADE COMMISSION

### Investigation No. 337-TA-1183

#### Certain Foldable Reusable Drinking Straws and Components and Accessories Thereof

#### Institution of Investigation

**AGENCY:** U.S. International Trade Commission

**ACTION:** Notice

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on October 9, 2019, under section 337 of the Tariff Act of 1930, as amended, on behalf of The Final Co. LLC of Santa Fe, New Mexico. An amended complaint was filed on October 29, 2019. The complaint, as amended, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain foldable reusable drinking straws and components and accessories thereof by reason of infringement of certain claims of U.S. Patent No. 10,123,641 (“the ’641 patent”). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a general exclusion order, or in the alternative a limited exclusion order, and cease and desist orders.

**ADDRESSES:** The complaint, except for any confidential information contained therein, is 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., Room 112, Washington, D.C. 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on

(202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

For Further Information Contact: Pathenia M. Proctor, The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

**SUPPLEMENTARY INFORMATION:**

**AUTHORITY:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.10 (2019).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on November 5, 2019, **ORDERED THAT** –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) 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 products identified in paragraph (2) by reason of infringement of one or more of claims 1-12, 14-17, and 20 of the '641 patent; and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is "individual

foldable reusable drinking straws and components thereof, cases used to store the foldable reusable drinking straws, and tools used for cleaning the foldable reusable drinking straws”;

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

The Final Co. LLC  
1703½ Quapaw Street  
Santa Fe, NM 87505

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Huizhou Sinri Technology Company Limited  
3rd Floor, Plant A, Yiyuan Sci-Tech Industry  
Park, Cangkeng Section, Tianduan Village,  
Xikeng, Huihuan, Zhongkai High-Tech  
Zone, Huizhou, Guangdong, China 516006

Hebei Serun Import and Export Trade Co., Ltd.  
Shenhou Shenqi Tingyuan, High And New  
Technology Industrial Development Zone,  
Luquan, Shijiazhuang, Hebei, China  
(Mainland), 050200

Dongguan Stirling Metal Products Co., Ltd.  
3-201, Xinhe Ind. Zone, Xiaobian, Chang'an  
Town, Dongguan, Guangdong,  
China 523853

Ningbo Wwpartner Plastic Manufacture Co., Ltd.  
Apt. 501-48, No. 50, Lane 578, South  
Tiantong Road, Yinzhou District, Ningbo,  
Zhejiang, China 315199

Shenzhen Yuanzhen Technology Co., Ltd.  
805, Block B, Fuquan Building, Qingquan  
Road, Longhua District, Shenzhen, China  
518000

Jiangmen Boyan Houseware Co., Ltd.  
No. 18-1-107, Zhongxin South Road,  
Huicheng, Xinhui Dist., Jiangmen,  
Guangdong, China 529100

Shanghai Rbin Industry And Trade Co., Ltd.  
Room D4003, Bldg. 1, No. 888, Huaxu Road,  
Qingpu Dist., Shanghai, China 201702

Jiangmen Shengke Hardware Products Co., Ltd.

Cunqian House, Wubian Land, Heping

Group, Xinjian Village, Siqian Town, Xinhui

District, Jiangmen, Guangdong, China

529000

Funan Anze Trading Co., Ltd.

No. 104-16, Jiaoyang Road, Lucheng Town,

Funan County, Fuyang, Anhui, China 236300

Hangzhou Keteng Trade Co., Ltd.

C533, Floor 5, Bldg. 3-C, No. 8, Xiyuan 9th

Road, Xihu Dist., Hangzhou, Zhejiang, China

310030

Hunan Jiudi Shiye Import And Export Trading Co., Ltd.

Room 1654, Building 4, Dameiyuan, No.

577, Yulan Road, Wangchengpo Street,

Yuelu District, Changsha, Hunan,

China (Mainland) 410205

Shenzhen Yaya Gifts Co., Ltd.

No. 2, Lane 3, East Of Henglingtang,

Pingshan Street, Pingshan New Dist.,

Shenzhen, Guangdong, China 518118

Ningbo Weixu International Trade Co., Ltd.

A27, Floor 5, Nongxin Bldg., Ningbo,

Zhejiang, China (Mainland) 315600

Ningbo Beland Commodity Co., Ltd.

14-6, No. 51, Bldg. 12, Xintiandi East

Zone, Yinzhou Dist., Ningbo, Zhejiang,

China 315040

Xiamen One X Piece Imp.&Exp. Co., Ltd.

601, Bldg. 73, Jimei Zhongxin Garden,

Xiamen, Fujian, China 36100

Hunan Champion Top Technology Co.,  
Ltd. No. 600, Wanfu North Road ,Yuhua area,  
Changsha city, Hunan province, China  
410000

Yiwu Lizhi Trading Firm  
Unit 3, Building 42, Xiawang New Village  
Third District, Jiangdong Street, Yiwu,  
Jinhua, Zhejiang, China 322000

(c) The Office of Unfair Import Investigations, U.S. International Trade  
Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S.  
International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the  
named respondents in accordance with section 210.13 of the Commission's Rules of Practice and  
Procedure, 19 C.F.R. 210.13. Pursuant to 19 C.F.R. 201.16(e) and 210.13(a), such responses  
will be considered by the Commission if received not later than 20 days after the date of service  
by the Commission of the complaint and the notice of investigation. Extensions of time for  
submitting responses to the complaint and the notice of investigation will not be granted unless  
good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Lisa Barton  
Secretary to the Commission

Issued: November 6, 2019

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