



May 9, 2022

The Honorable Lisa R. Barton
Secretary to the Commission
U.S. INTERNATIONAL TRADE COMMISSION
500 E Street, SW, Room 112-A
Washington, DC 20436

*Re: Certain Plant-Derived Recombinant Human Serum Albumins (“rHSA”) and Products
Containing Same, Inv. No. 337-TA-1238*

Dear Secretary Barton and Commissioners,

In response to the Commission’s notice of April 8, 2022, in connection with the above-referenced proceeding, I respectfully submit these comments in support of the remedies sought by Complainant Ventria Bioscience, Inc. Ventria is an important member of our biotech community in Kansas and has made major scientific contributions that are valuable to the U.S. economy and society at-large.

Ventria, which places a priority on attracting and hiring talent here in the Midwest, has invested many millions of dollars to develop and commercialize its novel plant-based technology. Ventria’s groundbreaking platform enables the production of important mammalian proteins (such as rHSA) in a plant-based expression system at a commercial scale, without the ethical, zoonotic, or logistical concerns of other sources. Ventria has built this business through its *exclusively* U.S. investments and activities, which include extensive (and ongoing) research and development, laboratory work, rice breeding, farming, and manufacturing.

It is imperative to protect the U.S. biotechnology industry from unfair interference by foreign actors. Ventria has repeatedly faced unlawful competition from China, with one instance even resulting in a criminal prosecution of researchers who stole the company’s proprietary rice seeds. In the instant case, I understand that the Administrative Law Judge found that Respondent Wuhan Healthgen Biotechnology Corp.—which was founded by a former Ventria employee—and its U.S. distributors have violated Section 337 by importing and selling rHSA products that infringe one of Ventria’s U.S. patents.¹

Exclusion of the infringing products from the U.S. market would serve the U.S. public interest. First, it is crucial to protect innovative American companies from unfair foreign competition, particularly in relation to China’s efforts to dominate biotechnology through nefarious conduct. Second, I

¹ I also understand that the Administrative Law Judge recommended remedial orders against Wuhan Healthgen’s defaulting distributors, in relation to violations of the Lanham Act for failing to label the accused products as being Made in China.



understand that Ventria is able to replace the excluded products with its domestically manufactured rHSA.

Without the jurisdiction and remedies afforded by Section 337, it is difficult for companies like Ventria to identify and challenge the importation of infringing products and enforce their intellectual property rights. As such, I respectfully ask that you afford Ventria the remedial relief it greatly needs.

Thank you for considering this submission. Please feel free to contact me with any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Sonia M. Hall". The signature is fluid and cursive, with a large initial "S" and a long, sweeping underline.

Dr. Sonia M. Hall
President & Chief Executive Officer
BioKansas