

CHAIRMAN



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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Washington, D.C. 20436

September 12, 2022

The President  
The White House  
Washington, D.C. 20500

Dear Mr. President:

In accordance with subsection (j) of Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337) (“Section 337”), and the July 21, 2005, Memorandum for the United States Trade Representative (70 Fed. Reg. 43251), I am transmitting to you and the United States Trade Representative copies of the Commission’s limited exclusion order and cease and desist orders, as described below, and the record upon which the Commission based its determination.

On September 12, 2022, the United States International Trade Commission issued a limited exclusion order and three cease and desist orders pursuant to Section 337 in USITC Investigation No. 337-TA-1238, *Certain Plant-Derived Recombinant Serum Albumins (“rHSA”) and Products Containing Same*. The limited exclusion order prohibits respondents Wuhan Healthgen Biotechnology Corp. of Wuhan, China (“Healthgen”); ScienCell Research Laboratories, Inc. of Carlsbad, California (“ScienCell”); Aspira Scientific, Inc. of Milpitas, California (“Aspira”); and eEnzyme LLC of Gaithersburg, Maryland (“eEnzyme”) from importing into the United States certain plant-derived recombinant serum albumins and products containing the same that infringe one or more of claims 1 and 11–13 of United States Patent No. 10,618,951 (“covered products”). The limited exclusion order also prohibits respondents ScienCell, Aspira, and eEnzyme from importing into the United States certain plant-derived recombinant serum albumins and products containing the same that include a false designation of origin. The cease and desist orders prohibit respondents, ScienCell, Aspira, and eEnzyme, from further importing, selling, and distributing the covered products and products that include a false designation of origin in the United States.

The Commission concluded that the statutory public interest factors in subsections (d)(1); (f)(1); and (g)(1) of Section 337 do not preclude the issuance of this remedy. The Commission also determined that, during the period of Presidential review, the covered products described

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above may be imported and sold in the United States with the posting of a bond in the amount of one hundred percent (100%) of their entered value.

Sincerely,

A handwritten signature in black ink, appearing to read "D.S. Johanson", with a long horizontal flourish extending to the right.

David S. Johanson  
Chairman

Enclosures