

**UNITED STATES INTERNATIONAL TRADE COMMISSION**  
**Washington, D.C.**

**In the Matter of**

**CERTAIN RESEALABLE PACKAGES  
WITH SLIDER DEVICES**

**Inv. No. 337-TA-962**

**NOTICE OF INSTITUTION OF INVESTIGATION**

Institution of investigation pursuant to 19 U.S.C. § 1337

**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 June 17, 2015, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Reynolds Presto Products Inc. of Appleton, Wisconsin. A supplement to the complaint was filed on July 8, 2015. The complaint 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 resealable packages with slider devices by reason of infringement of certain claims of U.S. Patent Reexamination Certificate No. 6,427,421 C1 (“the ’421 patent”); U.S. Patent No. 6,524,002 (“the ’002 patent”); and U.S. Patent No. 7,311,443 (“the ’443 patent”). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

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 <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>.

**FOR FURTHER INFORMATION CONTACT:** The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

**AUTHORITY:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.10 (2015).

**SCOPE OF INVESTIGATION:** Having considered the complaint, the U.S. International Trade Commission, on July 14, 2015, **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 resealable packages with slider devices by reason of infringement of one or more of claim 39 of the '421 patent; claim 1 of the '002 patent; and claim 1 of the '443 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) 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:

Reynolds Presto Products Inc.  
670 N. Perkins Street  
Appleton, WI 54912

(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:

Inteplast Group, Ltd.  
9 Peach Tree Hill Road  
Livingston, NJ 07039

Minigrip, LLC  
161 Kimball Bridge Road  
Alpharetta, GA 30009

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

(3) 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.

A handwritten signature in black ink, appearing to read "Lisa R. Barton".

Lisa R. Barton  
Secretary to the Commission

Issued: July 15, 2015

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, D.C.

In the Matter of

CERTAIN RESEALABLE PACKAGES WITH  
SLIDER DEVICES

Inv. No. 337-TA-962

DESIGNATION OF OUII ATTORNEY  
FOR SERVICE OF PROCESS

The Office of Unfair Import Investigations ("OUII") hereby designates Andrew Beverina, Esq. (202) 205-2077, Andrew.Beverina@usitc.gov, as OUII's lead attorney for service of process. It is requested that all documents served by the Commission or filed by the parties in the above-referenced investigation be served upon this attorney.

Respectfully submitted,

*Margaret Macdonald / DL*

Margaret Macdonald, Director

**OFFICE OF UNFAIR IMPORT INVESTIGATIONS**  
U.S. International Trade Commission  
500 E Street, S.W., Suite 401  
Washington, D.C. 20436  
(202) 205-2576  
(202) 205-2158 (facsimile)

July 15, 2015

**PUBLIC CERTIFICATE OF SERVICE**

I, Lisa R. Barton, hereby certify that the attached **NOTICE OF INSTITUTION** has been served by hand upon the Commission Investigative Attorney, **ANDREW BEVERINA**, and the following parties as indicated, **July 15, 2015**.



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

**Complainants:**

Reynolds Presto Products Inc.  
670 N. Perkins Street  
Appleton, WI 54912

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: \_\_\_\_\_

**On Behalf of Complainants:**

Patrick J. McCarthy, Esq.  
**GREENBERG TRAUIG, LLP**  
2101 L. Street, N.W.  
Washington, D.C. 20037

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: \_\_\_\_\_

**Respondents:**

Interplast Group, Ltd.  
9 Peach Tree Hill Road  
Livingston, NJ 07039

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: \_\_\_\_\_

Minigrip, LLC  
161 Kimball Bridge Road  
Alpharetta, GA 30009

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: \_\_\_\_\_

**CERTAIN RESEALABLE PACKAGES WITH SLIDER DEVICES**

**Inv. No. 337-TA-962**

Certificate of Service – Page 2

**Government Agencies:**

Edward T. Hand, Chief  
Foreign Commerce Section  
Antitrust Division  
U.S. Department of Justice  
450 5<sup>th</sup> Street NW, Room 11000  
Washington, DC 20530

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: \_\_\_\_\_

U.S. Bureau of Customs and Border Protection  
Intellectual Property Rights Branch  
Mint Annex Building  
799 9<sup>th</sup> Street, NW, 7<sup>th</sup> floor  
Washington, DC 20229-1177

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: \_\_\_\_\_

Elizabeth Kraus, Deputy Director  
International Antitrust, Office of  
International Affairs  
Federal Trade Commission  
600 Pennsylvania Avenue, Room 498  
Washington, DC 20580

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: \_\_\_\_\_

Dale D. Berkley, Ph.D., J.D.  
Office of the General Counsel, PHD, NIH Branch  
National Institutes of Health  
31 Center Drive  
Bldg. 31, Rm. 47  
Bethesda, MD 20892

- Via Hand Delivery
- Via Express Delivery
- Via First Class Mail
- Other: \_\_\_\_\_



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

July 15, 2015

Reynolds Presto Products Inc.  
670 N. Perkins Street  
Appleton, WI 54912

**Re: Certain Resealable Packages with Slider Devices**  
**Inv. No. 337-TA-962**

Dear Sir/Madam:

This letter is to advise you that the U.S. International Trade Commission has instituted an investigation pursuant to section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Commission's notice of investigation is enclosed. Also enclosed is the Section 337 Mediation Program brochure. After reviewing the brochure, please sign and return the enclosed certification of receipt.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa R. Barton".

Lisa R. Barton  
Secretary

Enclosures:

1. Notice of Investigation
2. Publication No. 4497 Regarding the Section 337 Mediation Program
3. Certification of Receipt of Mediation Materials



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

July 15, 2015

Patrick J. McCarthy, Esq.  
Greenberg Traurig LLP  
2101 L Street, NW  
Washington, DC 20037

**Re: Certain Resealable Packages with Slider Devices  
Inv. No. 337-TA-962**

Dear Mr. McCarthy:

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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

July 15, 2015

Interplast Group, Ltd.  
9 Peach Tree Hill Road  
Livingston, NJ 07039

**Re: Certain Resealable Packages with Slider Devices  
Inv. No. 337-TA-962**

Dear Sir/Madam:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). **Interplast Group, Ltd.** is a named respondent in this investigation.

We are hereby serving you with a copy of the Complaint and the Notice of Investigation issued in this matter. Enclosed is a copy of the Code of Federal Regulations. Also enclosed is a the Section 337 Mediation Program brochure. After reviewing this brochure, please sign and return the enclosed certification of receipt.

Please note that the Notice requires a response to the allegations in the Complaint and the response must be received not later than twenty (20) days after the date of service of the Complaint. Failure to file a response may result in inferences being drawn against your interests.

Sincerely,

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Lisa R. Barton  
Secretary

Enclosures:

1. Complaint
2. Notice of Investigation
3. Code of Federal Regulation
4. Publication No. 4497 Regarding the Section 337 Mediation Program
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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

July 15, 2015

Minigrip, LLC  
161 Kimball Bridge Road  
Alpharetta, GA 30009

**Re: Certain Resealable Packages with Slider Devices  
Inv. No. 337-TA-962**

Dear Sir/Madam:

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Lisa R. Barton  
Secretary

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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

July 15, 2015

Edward T. Hand, Chief  
Foreign Commerce Section  
Antitrust Division  
U.S. Dept of Justice  
450 5th Street NW, Room 11000  
Washington, DC 20530

**Re: Certain Resealable Packages with Slider Devices  
Inv. No. 337-TA-962**

Dear Mr. Hand:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to Sally Bromley, Case Manager to the Hon. Theodore R. Essex at (202) 708-4170.

If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa R. Barton", written over a horizontal line.

Lisa R. Barton  
Secretary

Enclosure:

1. Notice of Investigation



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

July 15, 2015

Intellectual Property Rights Branch  
Regulations and Rulings  
Office of International Trade  
U.S. Customs and Border Protection  
90 K Street, NE, 10<sup>th</sup> Floor  
Washington, DC 20229-1177

**Re: Certain Resealable Packages with Slider Devices**  
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Lisa R. Barton  
Secretary

Enclosure:

1. Notice of Investigation



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

July 15, 2015

Elizabeth Kraus, Deputy Director  
International Antitrust, Office of International Affairs  
Federal Trade Commission  
600 Pennsylvania Avenue, Room 498  
Washington, DC 20580

**Re: Certain Resealable Packages with Slider Devices  
Inv. No. 337-TA-962**

Dear Ms. Kraus:

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Lisa R. Barton  
Secretary

Enclosure:

1. Notice of Investigation



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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WASHINGTON, DC 20436

July 15, 2015

Dale D. Berkley, Ph.D., J.D.  
Office of General Counsel, PHD, NIH Branch  
National Institutes of Health  
31 Center Drive  
Bldg. 31, Rm. 47  
Bethesda, MD 20892

**Re: Certain Resealable Packages with Slider Devices  
Inv. No. 337-TA-962**

Dear Dr. Berkley:

This letter is to advise you that the United States International Trade Commission has instituted an investigation pursuant to Section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). A copy of the Notice of Investigation is enclosed. Non-confidential copies of the Complaint and any supplements filed in the investigation will be provided upon request. Requests should be directed to Sally Bromley, Case Manager to the Hon. Theodore R. Essex at (202) 708-4170.

If you have any questions concerning this investigation, please contact the Commission Investigative Attorney whose name and telephone number appear in the enclosed Notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa R. Barton", enclosed in a rectangular box.

Lisa R. Barton  
Secretary

Enclosure:

1. Notice of Investigation