

THOUGHT LEADERSHIP

NEWS RELEASES

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BEAU JACKSON
KANSAS CITY:
816.983.8202
WASHINGTON:
202.378.2406
BEAU.JACKSON@
HUSCHBLACKWELL.COM

THOMAS P. HENEGHAN
MADISON:
608.234.6032
MINNEAPOLIS:
612.852.2700
TOM.HENEGHAN@

Husch Blackwell Leads Ventria Bioscience to Victory at the U.S. International Trade Commission

Husch Blackwell prevailed this week at the U.S. International Trade Commission (ITC) on behalf of Ventria Bioscience, when the Commission completed its review of Administrative Law Judge McNamara's previous determination and affirmed that Wuhan Healthgen Biotechnology Corp. and its distributors violated U.S. trade law by importing and selling products that infringe Ventria's patent.

Ventria filed its ITC complaint against Wuhan Healthgen in December 2020, alleging the imports of recombinant human serum albumin (rHSA) manufactured using plant biotechnology infringed Ventria's cell culture patents. Plant-derived rHSA is a protein with a variety of important applications, including for the production of immunotherapy and gene therapy drugs, vaccines, medical devices, and in cell culture media.

Wuhan Healthgen was founded by a former Ventria scientist, who returned to China after his tenure at Ventria. The ITC initiated the investigation against Healthgen and its distributors in January 2021, with the litigation then lasting approximately 20 months. On Sept. 12, the ITC issued exclusion orders and cease-and-desist orders, which prohibit the importation and distribution of Wuhan Healthgen rHSA products that infringe Ventria's patent and/or fail to conspicuously designate China as the country of origin.

"We are pleased the ITC found Wuhan Healthgen in violation of U.S. trade law," said partner Beau Jackson, the leader of Husch Blackwell's Section 337 ITC practice. "This is a win for American innovation and American manufacturing, on behalf of a very deserving client. The ITC affirmed the validity of the '951 patent, affirmed that Ventria satisfies the domestic-industry requirement, and has excluded Wuhan Healthgen's infringing products from

the U.S. market. We are also pleased the ITC imposed cease-and-desist orders against Healthgen's distributors for concealing the country-of-origin of these products."

This marks the third win on the merits in 2022 for Husch Blackwell's Section 337 team, which continues a multi-year streak of positive results for a diversity of ITC clients.

In addition to Jackson, the Husch Blackwell team included Tom Heneghan, Jennifer Hoekel, Stephen Howe, Matt Kamps, Michael Martinich-Sauter, Andrea Shoffstall, Arianne Rodriguez, Abi Goodrich and Lauren Hitchens.

For further information, please refer to the Sept. 14, 2022, Ventria Bioscience press release. Additional coverage may require a log-in:

Law360: ITC Blocks Chinese Biotech Imports In Win For Ventria