

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

In the Matter of

**CERTAIN L-TRYPTOPHAN,
L -TRYPTOPHAN PRODUCTS, AND
THEIR METHODS OF PRODUCTION**

Investigation No. 337-TA-1005

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANTS' UNOPPOSED MOTION
TO TERMINATE THE INVESTIGATION WITH RESPECT TO CERTAIN
CLAIMS OF U.S. PATENT 7,666,655**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (“ID”) (Order No. 30) of the presiding administrative law judge (“ALJ”) granting Complainants’ unopposed motion to terminate the investigation with respect to certain claims of U.S. Patent 7,666,655.

FOR FURTHER INFORMATION CONTACT: Houda Morad, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708-4716. Copies of non-confidential documents filed in connection with this investigation are or will be 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 SW., Washington, D.C. 20436, telephone (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>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted Investigation No. 337-TA-1005 on June 14, 2016, based on a complaint filed by Complainants Ajinomoto Co., Inc. of Tokyo, Japan and Ajinomoto Heartland Inc. of Chicago, Illinois (collectively, “Ajinomoto” or “Complainants”). *See* 81 FR 38735-6 (June 14, 2016). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain L-tryptophan, L-tryptophan products, and their methods of production, by reason of infringement of certain claims of U.S. Patent No. 7,666,655 (“the ’655 patent”) and U.S. Patent No. 6,180,373. *Id.* The notice of investigation identified CJ

CheilJedang Corp. of Seoul, Republic of Korea; CJ America, Inc. of Downers Grove, Illinois; and PT CheilJedang Indonesia of Jakarta, Indonesia (collectively “CJ” or “Respondents”) as respondents in this investigation. *See id.* The Office of Unfair Import Investigations is not a party to the investigation.

On May 15, 2017, Complainants filed an unopposed motion to terminate the investigation with respect to claims 1, 4, 7, and 8 of the '655 patent under Commission Rule 210.21(a)(1), 19 CFR 210.21(a)(1). On May 16, 2017, the ALJ issued the subject ID (Order No. 30) granting Complainants' motion. The ALJ found that Complainants' motion complies with Commission Rule 210.21(a)(1), 19 CFR 210.21(a)(1), because “the motion includes a statement that ‘there are no agreements, written or oral, express or implied, between the parties concerning the subject matter of this investigation,’ there are no extraordinary circumstances that would require denying Ajinomoto’s motion, and Ajinomoto submitted its motion ‘prior to the issuance of an initial determination on violation.’” Order No. 30 at 2 (citations omitted). The ALJ further found that “the requested termination will serve the public interest and will conserve public and private resources.” *Id.* No party petitioned for review of the subject ID.

The Commission has determined not to review the subject ID.

The authority for the Commission’s determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission’s Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: June 2, 2017