UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C. 20436

In the Matter of CERTAIN REDUCED FOLATE NUTRACEUTICAL PRODUCTS AND L-METHYLFOLATE RAW INGREDIENTS USED THEREIN	Inv. No. 337-TA-857

NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL DETERMINATION GRANTING COMPLAINANTS' UNOPPOSED MOTION TO CORRECT THE TITLE OF COMPLAINANTS' UNOPPOSED MOTION TO AMEND THE COMPLAINT AND NOTICE OF INVESTIGATION

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. 5) of the administrative law judge ("ALJ") granting complainants' unopposed motion to correct the title of complainants' unopposed motion to amend the complaint and notice of investigation in the above-captioned investigation.

FOR FURTHER INFORMATION CONTACT: James A. Worth, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3065. 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, S.W., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (*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*. 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 this investigation on October 16, 2012, based on a complaint filed on September 10, 2012, on behalf of South Alabama Medical Science Foundation of Mobile, Alabama; Merck & Cie of Altdorf, Switzerland; and Pamlab LLC of Covington, Louisiana (collectively, "the complainants"). 77 *Fed. Reg.* 63336 (October 16, 2012). The complaint alleged violations of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, by reason of infringement of one or more of claims 37, 39, 40, 47, 66, 67, 73, 76,78-81, 83, 84, 86-89, 91, 92, 94-97, 99, 100, 110, 111, 113, 117, and 121 of U.S. Patent No. 5,997,915; claims 22, 26, and 32-38 of U.S. Patent No. 6,673,381; claims l, 4-6, and 15 of U.S. Patent No. 7,172,778; and claims 1-3, 5, 6, 8, 9, 11-15, and 19-22 of U.S. Patent No. 6,011,040.

The Commission's notice of investigation named as respondents Gnosis SpA of Desio, Italy; Gnosis Bioresearch SA of Sant'Antonino, Switzerland; Gnosis USA Inc. of Doylestown, Pennsylvania; and Macoven Pharmaceuticals LLC of Magnolia, Texas.

On November 14, 2012, the complainants filed an unopposed motion for leave to amend the complaint and notice of investigation, *inter alia*, to add a new respondent. The title of the motion identified the new respondent as Viva Pharmaceuticals LLC, while the body of the motion identified the new respondent as Viva Pharmaceuticals Inc. On November 15, 2012, the ALJ issued an ID, granting the motion to amend the complaint and notice of investigation, *inter alia*, to add Viva Pharmaceuticals LLC as a new respondent. On December 13, 2012, the Commission issued notice of its determination not to review the ID.

On January 8, 2013, the complainants filed an unopposed motion to correct the title of its motion to amend the complaint and notice of investigation such that the respondent is identified as Viva Pharmaceuticals Inc. rather than Viva Pharmaceuticals LLC. On January 14, 2013 ALJ issued the subject ID (Order No. 5), granting the motion for good cause shown. No petitions for review were filed.

Having considered the ID and the relevant portions of the record, the Commission has determined not to review the subject ID. The complaint and notice of investigation are therefore corrected to identify the new respondent as Viva Pharmaceuticals Inc.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and of section 210.42(h) of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.42(h)).

By order of the Commission.

Lisa R. Barton
Acting Secretary to the Commission

Issued: February 4, 2013