

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

In the Matter of

**CERTAIN PRE-FILLED SYRINGES
FOR INTRAVITREAL INJECTION AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1207

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION TERMINATING THE INVESTIGATION AS TO
CERTAIN PATENT CLAIMS**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined not to review an initial determination (“ID”) (Order No. 26) of the presiding administrative law judge (“ALJ”), terminating the investigation as to certain patent claims.

FOR FURTHER INFORMATION CONTACT: Benjamin S. Richards, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 708-5453. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.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 July 27, 2020. 85 FR 45227 (July 27, 2020). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain pre-filled syringes for intravitreal injection and components thereof by reason of infringement of claims 1-6 and 11-26 of U.S. Patent No. 9,220,631 (“the ’631 patent”). *Id.* at 45228. The complaint further alleges that a domestic industry exists. *Id.* The Commission’s notice of investigation named Regeneron Pharmaceuticals, Inc. as the sole respondent. *Id.* The Office of Unfair Import Investigations is participating in the investigation. *Id.*

On February 18, 2021, the ALJ issued Order No. 26, which granted complainants

Novartis Pharma AG, Novartis Pharmaceuticals Corporation, and Novartis Technology LLC's motion to terminate the investigation in part. The motion was based on complainants' withdrawal of the complaint with respect to claims 2, 14, 15, and 26 of the '631 patent. No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID.

The following claims are hereby terminated from the investigation: 2, 14, 15, and 26 of the '631 patent.

The Commission vote for this determination took place on March 15, 2021.

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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', with a stylized flourish at the end.

Lisa R. Barton
Secretary to the Commission

Issued: March 15, 2021