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

| **In the Matter of**<br><br>**CERTAIN RECOMBINANT FACTOR VIII PRODUCTS** | **Investigation No. 337-TA-956** |
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## NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL DETERMINATION EXTENDING THE TARGET DATE

**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 (the subject ID) (Order No. 44) extending the target date for completion of the above-captioned investigation until September 27, 2016.

**FOR FURTHER INFORMATION, CONTACT**: Ron Traud, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3427. 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 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. 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**: On May 22, 2015, the Commission instituted this investigation based on a complaint filed by Baxter International Inc. of Deerfield, Illinois; Baxter Healthcare Corporation of Deerfield, Illinois; and Baxter Healthcare SA of Glattpark, Switzerland. 80 *Fed. Reg*. 29745, 29745–46 (May 22, 2015). The complaint 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, and the sale within the United States after importation of certain recombinant factor VIII products by reason of infringement of certain claims of U.S. Patent Nos. 6,100,061 (the '061patent), 6,936,441 (the '441 patent), and 8,084,252 (the '252 patent). *Id.* The notice of investigation named as respondents Novo Nordisk A/S of Bagsvaerd, Denmark and Novo Nordisk Inc. of Plainsboro, New Jersey (collectively, Respondents). *Id.* at 29746. The Office of Unfair Import Investigations (OUII) also was named as a party to the investigation. *Id.* On October 8, 2015, the Commission amended the complaint and notice of investigation to add Baxalta, Inc. of Deerfield, Illinois; Baxalta US Inc. of Deerfield, Illinois; and

Baxalta GmbH of Glattpark, Switzerland as complainants. 80 *Fed. Reg.* 62569, 62569–70 (Oct. 16, 2015).

On January 5, 2016, the investigation was terminated as to certain asserted claims of the '061 patent, all asserted claims of the '441 patent, and certain asserted claims of the '252 patent. Notice of Commission Determination Not to Review an Initial Determination Granting a Motion for Partial Termination of the Investigation with Respect to Certain Claims (Jan. 5, 2016).

On May 23, 2016, the ALJ issued the subject ID (Order No. 44), which, pursuant to Commission Rule 210.51(a)(1), extended the target date for completion of the investigation to September 27, 2016. No petitions for review of the subject ID were filed. The ALJ's final ID was issued on May 27, 2016.

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 C.F.R. Part 210).

By order of the Commission.

Lisa R. Barton
Secretary to the Commission

Issued: June 15, 2016