

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

In the Matter of

**CERTAIN L-LYSINE FEED PRODUCTS,
THEIR METHODS OF PRODUCTION
AND GENETIC CONSTRUCTS FOR
PRODUCTION**

Investigation No. 337-TA-571

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL
DETERMINATION EXTENDING THE TARGET DATE FOR
COMPLETION OF THE 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. 12) issued by the presiding administrative law judge (“ALJ”) extending the target date for completion of the above-captioned investigation to July 30, 2008.

FOR FURTHER INFORMATION CONTACT: Christal A. Sheppard, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2301. 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: This investigation was instituted on May 31, 2006, based on a complaint filed by Ajinomoto Heartland LLC (“Heartland”) of Chicago, Illinois. 71 *Fed. Reg.* 30958. (May 31,2006). The complaint, as amended and supplemented, alleges violations of section 337 of the Tariff Act of 1930 (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 L-lysine feed products and genetic constructs for production thereof by reason of infringement of claims 13, 15-19, and 21-22 of U.S. Patent No. 5,827,698 and claims 1, 2, 15, and 22 of U.S. Patent No. 6,040,160. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337. Global Bio-Chem Technology Group Company Ltd. of Hong Kong; Changchun Dacheng Bio-Chem Engineering Development Co., Limited; Changchun Baocheng Bio-Chem Development Co., Ltd; Changchun Dahe Bio Technology Development Co. Ltd., all of China, and Bio-Chem Technology (HK) Limited of Hong Kong were named respondents in the investigation. *Id.* On June 29, 2006, complainant Heartland filed a motion to amend the complaint to add its parent company, Ajinomoto, Inc. as a complainant. The ALJ granted the motion in an ID, no petitions for review of the ID were filed, and the Commission determined not to review that ID.

On April 30, 2007, the ALJ issued an ID (Order No. 12) extending the target date of this investigation by twelve months to July 30, 2008, and the deadline for his final initial determination to March 31, 2008. No petitions for review of the ID were filed. The Commission has determined not to review this 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 section 210.42 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.42).

By order of the Commission.

/s/
Marilyn R. Abbott
Secretary to the Commission

Issued: May 24, 2007