

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
THEIR PRODUCTION**

Investigation No. 337-TA-571

**NOTICE OF COMMISSION DETERMINATION
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 the initial determination (“ID”) of the presiding administrative law judge (“ALJ”) extending the target date for completion of the above-captioned investigation to October 31, 2008.

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: This investigation was instituted on May 31, 2006, based upon a complaint filed on behalf of Ajinomoto Heartland LLC of Chicago, Illinois on April 25, 2006, as amended May 12, 2006, and supplemented May 12 and 16, 2006. *71 Fed. Reg.* 30958 (May 31, 2006). The complaint alleged a violation of section 337 of the Tariff Act of 1930 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 the production thereof by reason of infringement of various claims of United States Patent Nos. 5,827,698 and 6,040,160. Subsequently, complainant's parent company, Ajinomoto, Inc., was added as an additional complainant. 71 *Fed. Reg.* 43,209 (July 31, 2006).

On September 20, 2007, after a pre-hearing conference to set the procedural schedule, the parties proposed extending the target date by two months. On September 25, 2007, the ALJ issued the subject ID, extending the target date by three months to October 31, 2008. No petitions for review were filed. The Commission has determined not to review the subject ID.

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)(3) of the Commission's Rules of Practice and Procedure (19 CFR § 210.42(h)(3)).

By order of the Commission.

/s/
William R. Bishop
Acting Secretary to the Commission

Issued: October 15, 2007