

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

In the Matter of

**CERTAIN ALENDRONATE SALTS AND
PRODUCTS CONTAINING SAME**

Investigation No. 337-TA-584

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING A MOTION TO WITHDRAW THE COMPLAINT
AND TERMINATE 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”) granting complainant’s motion to withdraw the complaint and terminate the above-referenced investigation.

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 September 22, 2006, based on a complaint filed by Merck & Co., Inc., of Whitehouse Station, New Jersey. The complaint 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 alendronate salts and products containing the same by reason of infringement of claims 1 - 5 of United States Patent No. 4,922,007. The complaint further alleges that an industry exists as required by subsection (a)(2) of section 337. The complaint named CIPLA, Ltd., of Mumbai, India as respondent in this investigation.

On February 26, 2007, the complainant filed a motion to terminate the investigation as to all parties based on withdrawal of the complaint, pursuant to 19 C.F.R. § 210.21(a). On April

30, 2007, the ALJ issued an ID (Order No. 12) granting the complainant's motion. No petitions for review were received and the Commission has determined not to review this ID. Accordingly, the above-captioned investigation is hereby terminated.

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

By order of the Commission.

/s/

Marilyn R. Abbott
Secretary to the Commission

Issued: May 23, 2007