UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of **CERTAIN PRE-FILLED SYRINGES FOR INTRAVITREAL INJECTION AND COMPONENTS THEREOF**	**INV. NO. 337-TA-1207**

ORDER NO. 33: INITIAL DETERMINATION TERMINATING THE INVESTIGATION

(April 8, 2021)

On April 8, 2021, complainants Novartis Pharma AG, Novartis Pharmaceuticals Corporation, and Novartis Technology LLC (collectively, "Novartis") moved to terminate this investigation in its entirety based on withdrawal of the complaint. Motion Docket No. 1207-031. Neither respondent Regeneron Pharmaceuticals, Inc., nor the Commission Investigative Staff opposes the requested relief. Mot. at 1.

Commission Rule 210.21(a)(1) provides, in relevant part:

> Any party may move at any time prior to the issuance of an initial determination on violation of section 337 of the Tariff Act of 1930 to terminate an investigation in whole or in part as to any or all respondents, on the basis of withdrawal of the complaint or certain allegations contained therein. . . . A motion for termination of an investigation based on withdrawal of the complaint . . . shall contain a statement that there are no agreements, written or oral, express or implied between the parties concerning the subject matter of the investigation, or if there are any agreements concerning the subject matter of the investigation, all such agreements shall be identified, and if written, a copy shall be filed with the Commission along with the motion.

19 C.F.R.§ 210.21(a)(1).

I find that the pending motion for termination of this investigation based on withdrawal of the complaint complies with the Commission Rules. Specifically, the motion was made before the issuance of any initial determination on violation of section 337, and Novartis states that "there are no agreements, written or oral, express or implied, by or between the private parties concerning the subject matter of this Investigation (*i.e.,* there are no settlement agreements, licenses, or any other such agreements)." Mot. at 4. In addition, there are no extraordinary circumstances that warrant denying the motion.

Accordingly, it is my initial determination that Motion No. 1207-031 is granted. This investigation is hereby terminated in its entirety. All motions that remain pending in this investigation, including Motion Nos. 1207-025 to -030, are denied as moot. In addition, the procedural schedule issued as Order No. 20 on December 10, 2020, is suspended pending a final resolution of Novartis's motion to terminate the investigation. This initial determination, along with supporting documentation, is hereby certified to the Commission.

Pursuant to 19 C.F.R. § 210.42(h), this initial determination shall become the determination of the Commission unless a party files a petition for review of the initial determination pursuant to 19 C.F.R. § 210.43(a), or the Commission, pursuant to 19 C.F.R. § 210.44, orders on its own motion a review of the initial determination or certain issues herein.

SO ORDERED.

Clark S. Cheney
Administrative Law Judge

CERTAIN PRE-FILLED SYRINGES FOR INTRAVITREAL INJECTION AND COMPONENTS THEREOF

Inv. No. 337-TA-1207

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **INITIAL DETERMINATION** has been served via EDIS upon the Commission Investigative Attorney, **W. Peter Guarnieri, Esq.**, and the following parties as indicated, on **April 8, 2021.**

Lisa R. Barton, Secretary
U.S. International Trade Commission
500 E Street, SW, Room 112
Washington, DC 20436

On Behalf of Complainants Novartis Pharma AG, Novartis Pharmaceuticals Corporation, and Novartis Technology LLC:

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On Behalf of Respondent Regeneron Pharmaceuticals, Inc.:

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