

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

**In the Matter of**

**CERTAIN SELECTIVE THYROID  
HORMONE RECEPTOR-BETA AGONISTS,  
PROCESSES FOR MANUFACTURING OR  
RELATING TO SAME, AND PRODUCTS  
CONTAINING SAME**

Investigation No. 337-TA-1352

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW  
AN INITIAL DETERMINATION GRANTING IN PART A MOTION FOR SUMMARY  
DETERMINATION OF TRADE SECRET ACCESS**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission (the “Commission”) has determined not to review an initial determination (“ID”) (Order No. 41) granting in part a motion for summary determination of trade secret access in the above-captioned investigation.

**FOR FURTHER INFORMATION CONTACT:** Carl P. Bretscher, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2382. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket system (“EDIS”) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal, telephone (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on February 9, 2023, based on a complaint, as supplemented, filed by Viking Therapeutics, Inc. of San Diego, California (“Viking”). 88 FR 8455-56 (Feb. 9, 2023). The complaint alleges a violation of section 337 the Tariff Act, as amended, 19 U.S.C. 1337, by way of the importation, sale for importation, or sale in the United States after importation of certain selective thyroid hormone receptor-beta agonists, processes for manufacturing or relating to same, and products containing same by reason of misappropriation of trade secrets, the threat or effect of which is to destroy or substantially injure a domestic industry or prevent the establishment of a domestic industry. *Id.* The notice of investigation named the following as respondents: Ascletois Pharma Inc. of Hangzhou, Zhejiang Province, China; Ascletois Pharmaceuticals Co. of Shaoxing, Zhejiang Province, China; Ascletois Bioscience Co. of Hangzhou, Zhejiang Province, China; Gannex Pharma Co. of Shanghai, China; and Jinzi Jason Wu of Seattle, Washington (all

collectively, “Respondents”). *Id.* The Office of Unfair Import Investigation (“OUII”) is also participating in the investigation. *Id.*

On September 22, 2023, the Commission granted an unopposed motion filed pursuant to Commission Rule 210.19 (19 CFR 210.19) by Foster, Murphy, Altman & Nickel, PC (“Foster Murphy”) to intervene in this investigation for the limited purpose of defending Foster Murphy and its attorneys’ interests in response to Viking’s Omnibus Motion for Monetary and Non-Monetary Sanctions Against Respondents and their Counsel, alleging failure to cooperate during discovery, failure to cooperate during forensic examinations, and violations of the terms of certain orders. Order No. 37 (Aug. 28, 2023), *unreviewed by Comm’n Notice* (Sept. 22, 2023).

On September 11, 2023, Viking filed a motion for summary determination that all Respondents and certain individuals accessed documents that contain each of Viking’s alleged trade secrets, which, if granted, would establish the element of acquisition for the purpose of proving trade secret misappropriation. On September 21, 2023, Respondents filed an opposition to the motion. On September 21, 2023, OUII filed a response in support of Viking’s motion.

On November 13, 2023, the presiding Chief Administrative Law Judge (“CALJ”) issued the subject initial determination (“ID”) (Order No. 41), granting Viking’s motion in part. In particular, the ID finds that certain documents at issue in this investigation are authentic. The CALJ denied summary determination, however, with respect to the authenticity of certain other documents and whether Respondents accessed the trade secrets contained in those documents. No party filed a petition for review.

The Commission has determined not to review the subject ID.

The Commission vote for this determination took place on December 13, 2023.

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 CFR Part 210).

By order of the Commission.



Lisa R. Barton  
Secretary to the Commission

Issued: December 13, 2023