

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN ADALIMUMAB, PROCESSES FOR
MANUFACTURING OR RELATING TO
SAME, AND PRODUCTS CONTAINING SAME**

Investigation No. 337-TA-1296

**NOTICE OF THE COMMISSION’S DETERMINATION NOT TO REVIEW AN
INITIAL DETERMINATION SETTING A 17-MONTH TARGET DATE**

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 presiding administrative law judge’s (“ALJ”) initial determination (“ID”) (Order No. 5) setting a 17-month target date.

FOR FURTHER INFORMATION CONTACT: Amanda Pitcher Fisherow, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2737. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email 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 on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on January 31, 2022, based on a complaint filed by AbbVie Inc. of Chicago, Illinois, AbbVie Biotechnology Ltd of Bermuda, and AbbVie Operations Singapore Pte. Ltd. of Singapore. 87 FR 4912-13 (Jan. 31, 2022). The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale of certain adalimumab, processes for manufacturing or relating to same, and products containing same by reason of the misappropriation of trade secrets and tortious interference with contractual relations, the threat or effect of which is to destroy or substantially injure an industry in the United States. The complaint, as amended, further alleged that a domestic industry exists. The notice of investigation named as respondents Alvotech hf. of Iceland; Alvotech Germany GmbH of Germany; Alvotech Swiss AG of Zurich, Switzerland;

Alvotech USA Inc. of Arlington, Virginia, and Ivers-Lee AG of Bern, Switzerland. *Id.* The Office of Unfair Import Investigations was also named as a party to the investigation. *Id.*

On March 2, 2022, the presiding ALJ issued Order No. 5, setting a 17-month target date. The ID explained that the parties agreed that a 17-month target date is appropriate given the extensive amount of fact discovery that is anticipated in this investigation. No one petitioned for review of the ID.

The Commission has determined not to review the ID. The target date is July 3, 2023, and the final ID is due by March 3, 2023.

The Commission vote for this determination took place on March 21, 2022.

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 C.F.R. Part 210).

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: March 21, 2022