UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of **CERTAIN DRUG PRODUCTS CONTAINING C-TYPE NATRIURETIC PEPTIDE VARIANTS, AND COMPONENTS THEREOF**	**Investigation No. 337-TA-1447**

NOTICE OF A 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 ("Commission") has determined not to review an initial determination ("ID") (Order No. 52) of the presiding Chief Administrative Law Judge ("Chief ALJ") extending the target date for completion of the above-captioned investigation until March 1, 2027.

FOR FURTHER INFORMATION CONTACT: Jonathan D. Link, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3103. 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 May 8, 2025, based on a complaint filed by BioMarin Pharmaceutical Inc. of Novato, California. 90 FR 19532-33 (May 8, 2025). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain drug products containing C-type natriuretic peptide variants and components thereof by reason of infringement of claims 15-20, and 31-48 of U.S. Reissue Patent No. 48,267 ("the RE'267 patent"). *Id.* The complaint further alleges that a domestic industry exists. *Id.* The Commission's notice of investigation named as respondents: Ascendis Pharma, Inc. of Palo Alto, California; Ascendis Pharma A/S of Hellerup, Denmark; Ascendis Pharma Growth Disorders

A/S of Hellerup, Denmark; and Wacker Biotech GmbH of Jena, Germany. *Id*. The Office of Unfair Import Investigations ("OUII") is participating in the investigation. *Id.*

On September 12, 2025, the Commission determined not to review Order No. 15, granting Complainant's motion to amend the Complaint and Notice of Investigation. *See* Order No. 15 (Aug. 14, 2025), *unreviewed by* Comm'n Notice (Sept. 12, 2025).

On March 23, 2026, the Commission determined not to review Order No. 36, terminating claims 15-22, 31, 33, 35-40, 42, 44, and 45-48 of the RE'267 patent from the investigation, with claims 21-22 being asserted for domestic industry purposes only. *See* Order No. 36 (Mar. 3, 2026), *unreviewed by* Comm'n Notice (Mar. 23, 2026).

On May 15, 2026, the Commission determined not to review Order No. 45, granting Complainant's unopposed motion to amend the Amended Complaint and Notice of Investigation. *See* Order No. 45 (Apr. 27, 2026), *unreviewed by* Comm'n Notice (May 15, 2026).

On September 15, 2026, the Commission determined not to review Order No. 50, extending the target date to February 1, 2027, and the date for completion of the final initial determination to October 1, 2026. *See* Order No. 52 (Aug. 4, 2026), *unreviewed by* Comm'n Notice (Sept. 15, 2026).

On September 24, 2026, the Chief ALJ issued the subject ID (Order No. 52), extending the target date to March 1, 2027, and the date for completion of the final initial determination to October 30, 2026. No petition for review was filed.

The Commission has determined not to review the subject ID. The target date for completion of the investigation is extended to March 1, 2027, and the new deadline for issuing the final initial determination on violation is October 30, 2026.

The Commission vote for this determination took place on October 26, 2026.

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: October 26, 2026