

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN OVER-THE-COUNTER
TOPICAL LIDOCAINE PATCHES**

Investigation No. 337-TA-1498

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO THREE
RESPONDENTS BASED ON SETTLEMENT**

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. 9) of the presiding chief administrative law judge (“CALJ”) that terminates respondents Perrigo Company plc of Dublin, Ireland; Perrigo Company of Allergan, Michigan; and Perrigo Direct, Inc. of Peachtree City, Georgia (collectively, the “Perrigo Respondents”) from the above-captioned investigation based on settlement. The Perrigo Respondents are terminated from the investigation.

FOR FURTHER INFORMATION CONTACT: Richard P. Hadorn, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3179. 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, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on April 14, 2026, based on a complaint filed by J.A.R. Laboratories LLC (“JAR”) of Lake Forest, Illinois. 91 FR 19203 (Apr. 14, 2026). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based on the importation into the United States, the sale for importation, and the sale within the United States after importation of certain over-the-counter topical lidocaine patches by reason of the infringement of certain claims of U.S. Patent No. 12,109,181. *Id.* The complaint further alleges that a domestic industry exists. *Id.* The notice of investigation names 13 respondents: the Perrigo Respondents; Veridian Healthcare LLC of Gurnee, Illinois; Opella Healthcare Group SAS of Neuilly-sur-Seine, France; Opella North America (“ONA”) of Morristown, New Jersey; Chattem, Inc. of

Chattanooga, Tennessee; Hisamitsu Pharmaceutical Co., Inc. of Tosu, Japan; Hisamitsu U.S., Inc. (“Hisamitsu US”) of Florham, New Jersey; Hisamitsu America, Inc. of Florham, New Jersey; Reckitt Benckiser Group PL of Slough, United Kingdom; Reckitt Benckiser LLC of Parsippany, New Jersey; and RB Health LLC of Parsippany, New Jersey. *Id.* The Office of Unfair Import Investigations is not named as a party. *Id.*

On July 1, 2026, the Commission terminated the investigation as to respondents Hisamitsu US and ONA based on withdrawal of the complaint. Order No. 8 (June 18, 2026), *unreviewed by Comm’n Notice* (July 1, 2026).

On August 11, 2026, JAR and the Perrigo Respondents filed a joint motion to terminate the investigation as to the Perrigo Respondents based on a settlement agreement, attaching thereto a public version of the subject agreement. That same day, JAR and the Perrigo Respondents separately filed a confidential version of the subject agreement. The motion states that the remaining respondents do not oppose the motion. No responses to the motion were filed.

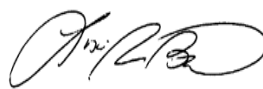
On August 12, 2026, the CALJ issued the subject ID (Order No. 9) granting the unopposed motion. The ID finds that motion complies with the requirements of Commission Rule 210.21(b)(1) (19 CFR 210.21(b)(1)), and that the proposed settlement does not adversely affect the public interest in accordance with Commission Rule 210.50(b)(2) (19 CFR 210.50(b)(2)). ID at 2. The CALJ further grants the moving parties’ request to stay all procedural deadlines as to the Perrigo Respondents pending Commission review of the ID. *Id.* at 3. No petitions for review of the subject ID were filed.

The Commission has determined not to review the subject ID. The investigation is hereby terminated as to the Perrigo Respondents.

The Commission vote for this determination took place on September 9, 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.

A handwritten signature in black ink, appearing to read "Lisa R. Barton", enclosed within a rectangular box.

Lisa R. Barton
Secretary to the Commission

Issued: September 9, 2026