

Office of the Secretary



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UNITED STATES INTERNATIONAL TRADE COMMISSION

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Washington, D.C. 20436

May 19, 2020

Charles Steuart, Chief  
IPR & Restricted Merchandise Branch  
Office of International Trade  
Regulation and Rulings  
U.S. Customs and Border Protection  
90 K Street, N.E.  
Washington, D.C. 20229-1177

Re: Limited Exclusion Order issued by the U.S. International Trade Commission in Investigation No. 337-TA-1120, *Certain Human Milk Oligosaccharides and Methods of Producing the Same*

Dear Mr. Steuart:

On May 19, 2020, the United States International Trade Commission issued a limited exclusion order in the above-referenced investigation prohibiting respondent Jennewein Biotechnologie GmbH of Rheinbreitbach, Germany ("Respondent") from importing into the United States certain human milk oligosaccharides that infringe claims 1-3, 5, 8, 10, 12, 18, and 24-28 of U.S. Patent No. 9,970,018 ("the '018 patent").

The owner of the '018 patent is Glycosyn LLC ("Glycosyn"), *i.e.*, the Complainant in the above-referenced investigation. Michael C. Newman, Esq. (telephone: 617-348-1626) of the law firm Mintz Levin Cohn Ferris Glovsky, One Financial Center, Boston, MA 02111, was counsel for Glycosyn in the proceedings before the Commission.

The subject products are believed to be imported under at least HTSUS Number 2940.00.60 and known importers of the subject products include at least Respondent, Abbott Nutrition, and Abbott Laboratories.

The Commission's order is in effect for the term of the '018 patent, which expires on February 16, 2032. A copy of the '018 patent is enclosed. We separately transmitted the limited exclusion order to you, along with the Commission record, on the day of its issuance.

Per the limited exclusion order, the covered products are entitled to entry for consumption into the United States, entry for consumption from foreign trade zone, or withdrawal from a warehouse for consumption under bond from the day after this order is received by the United States Trade Representative, pursuant to subsection (j) of section 337 of the Tariff Act of 1930, as amended, and the Presidential Memorandum of July 21, 2005 (*70 Fed. Reg.* 43251), until such time as the Representative notifies the Commission that he approves or disapproves this action but, in any event, not later than sixty (60) days after the date of receipt of this action. For the covered motorized vehicles and components thereof, manufactured abroad or imported by, for, or on behalf of the Respondent, the amount of the bond during the period of Presidential review is five (5) percent of the entered value of the infringing articles.

If you have any questions concerning the limited exclusion order, please feel free to contact Houda Morad, Esq., at [houda.morad@usitc.gov](mailto:houda.morad@usitc.gov), or at 202-708-4716.

Sincerely,



Lisa R. Barton  
Secretary to the Commission

Enclosures

cc: Office of the General Counsel  
Office of the United States Trade Representative  
600 17<sup>th</sup> Street, N.W.  
Washington, D.C. 20508