

June 17, 2026

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VIA EDIS

The Honorable Lisa R. Barton
Secretary to the Commission
U.S. International Trade Commission
500 E Street, S.W., Room 112
Washington, DC 20436

Re: *Certain Pertuzumab Biosimilars, Including Those Made by Certain Methods of Manufacturing, the Active Ingredient Thereof, and Products Containing the Same*
ITC Docket No. 337-3890 — Complainant's Notice of Withdrawal of Complaint

Dear Secretary Barton:

I write to give notice pursuant to 19 C.F.R. § 210.10(a)(5)(i) that Complainant Genentech, Inc. ("Genentech") is withdrawing its February 27, 2026 Complaint (EDIS Doc. ID 873837 (public), 873842 (confidential)). Genentech does so in reliance upon the express representations of proposed Respondents Biocon Ltd., Biocon Biologics Ltd., Biocon Biologics UK PLC, and Biocon Biologics Inc. (collectively, "Biocon") that: (1) its importation of BMAB 1500/PERT-IJS was undertaken solely for uses reasonably related to the submission of information to the FDA pursuant to the safe-harbor provision of 35 U.S.C. § 271(e)(1); and (2) Biocon "has no agreement with [a U.S. distributor] with respect to commercial distribution of, or any other commercial activity with respect to, Biocon's pertuzumab biosimilar," nor has it "had any discussions or communications with [a U.S. distributor] regarding such commercial distribution or other commercial activities with respect to pertuzumab." Should Genentech learn that these representations are inaccurate or discover further evidence of importation, sale for importation, or sale after importation of Biocon's pertuzumab biosimilar, Genentech may file a new complaint in connection with this dispute.

Thank you for your attention to this matter, and please contact me if you have any questions regarding the withdrawal of the complaint.

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Respectfully submitted,

JENNER & BLOCK LLP

/s/ Mark G. Davis

Mark G. Davis

CERTIFICATE OF SERVICE

I, James R. Donnelly, hereby certify that on June 17, 2026, copies of the foregoing document were filed and served upon the following parties as indicated:

Lisa R. Barton Secretary to the Commission U.S. International Trade Commission 500 E Street, S.W., Room 112 Washington, D.C. 20436	☐ Via First Class Mail ☐ Via Hand Delivery ☐ Via Express Delivery ☒ Via Electronic Filing (EDIS)
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/s/ James R. Donnelly

James R. Donnelly, Paralegal
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