



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

Bureau of Competition  
Health Care Division

June 1, 2010

**VIA EMAIL (CJPETERMAN@PBWT.COM)**

Chad Peterman, Esquire  
Patterson, Belknap, Webb & Tyler, LLP  
1133 Avenue of the Americas  
New York, New York 10036-6710

Re: Abbott (TriCor), 051 0124

Dear Mr. Peterman:

The Commission's Bureau of Competition has been conducting a non-public investigation to determine whether Abbott Laboratories, Solvay SA, or any other person are engaging in unfair methods of competition in violation of Section 5 of the Federal Trade Commission Act, including, inter alia, by monopolizing or attempting to monopolize the market for fenofibrates by preventing or slowing generic competition to TriCor.

Upon further review of this matter, it now appears that no further action is warranted by the Commission at this time. Accordingly, the investigation has been closed. This action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

In accordance with Rule § 4.12 from the FTC Rules of Practice, the Commission will dispose of "all materials determined not to be appropriate for preservation" unless the submitting party requests those materials' return. We will destroy the documents that Abbott submitted, unless you request their return by June 11, 2010, and arrange to retrieve them or provide us with your account number for a delivery service. Please contact Deborah Tucker at (202) 326-2766 about the documents. Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "Markus H. Meier".

Markus H. Meier  
Assistant Director