



BY FACSIMILE

January 23, 2008

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Re: Solicitation Number EN869-060292/D (RVD142) (File No. PR-2007-078)
NETGEAR, Inc.

The Tribunal is in receipt of the Department of Public Works and Government Services' letter dated January 14, 2008, in which it advises that solicitation number EN869-060292/D has been cancelled.

According to paragraph 7(1)(b) of the *Canadian International Trade Tribunal Procurement Inquiry Regulations* (Regulations), the complaint must be in respect of a "designated contract", which is defined in the *Canadian International Trade Tribunal Act* as "a contract for the supply of goods or services that has been or is proposed to be awarded by a government institution". Given that the solicitation has been cancelled, it is clear to the Tribunal that a contract will not be resulting from that procurement. In accordance with paragraph 10(a) of the Regulations, the Tribunal finds that the complaint can have no valid basis, as there is no procurement upon which to file a complaint, and it therefore dismisses the complaint.

Yours sincerely,

Hélène Nadeau
Secretary