

(May 1995), entitled "Light-walled rectangular pipe and tube from Mexico: Investigation No. 731-TA-730 (Preliminary)."

Issued: May 23, 1995.

By order of the Commission.

Donna R. Koehnke,
Secretary.

[FR Doc. 95-13149 Filed 5-26-95; 8:45 am]

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[Investigation No. 337-TA-366]

Notice of Commission Determinations to Review Certain Portions of the Presiding Administrative Law Judge's Final Initial Determination and To Remand the Initial Determination to the ALJ for Clarification and Additional Findings; Denial of Request for Oral Argument

In the Matter of: Certain microsphere adhesives, process for making same, and products containing same, including self-stick repositionable notes.

AGENCY: International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the Commission has determined to review certain portions of the final initial determination (ID) issued by the presiding administrative law judge (ALJ) on March 23, 1995, in the above-captioned investigation. The Commission has also determined to remand the ID to the ALJ for additional findings and for clarification of certain findings made in the ID concerning the issues under review. The Commission also determined to deny complainant's request for oral argument.

FOR FURTHER INFORMATION CONTACT: Jean Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW, Washington, DC 20436, telephone 202-205-3104.

SUPPLEMENTARY INFORMATION: This investigation was instituted by the Commission on June 8, 1994, based on a complaint filed by Minnesota Mining and Manufacturing Co. (3M). On March 23, 1995, the ALJ issued her final ID in this investigation. The ALJ determined that a violation of section 337 of the Tariff Act of 1930, as amended, has occurred by reason of infringement of certain claims of U.S. Letters Patent 4,166,152 (the '152 patent) in the importation or sale of certain products containing microsphere adhesives by Kudos Finder Tape Industrial Ltd. and Kudos Finder Trading Co. (collectively, Kudos). The finding of violation as to

Kudos was based on adverse inferences drawn from Kudos' failure to cooperate in discovery. The ID found no violation as to respondents Taiwan Hopax Chemicals Manufacturing, Co., Ltd.; Yuen Foong Paper Co., Ltd.; Beautone Specialties Co., Ltd.; and Beautone Specialties Co. (collectively, Beautone).

On April 17, 1995, 3M, Beautone, and the Commission investigative attorney filed petitions for review of the ID. On April 27, 1995, the parties filed responses to each other's petitions. Under Commission interim rule 210.53(h), the ID would have become the determination of the Commission on May 8, 1995, unless review were ordered or the review deadline were extended. However, the Commission had previously extended the review deadline until May 23, 1995. 60 FR 17806 (April 7, 1995). The statutory deadline for completing this investigation is December 8, 1995.

Having examined the record in this investigation, including the ID, the Commission determined to review the issues of (1) claim interpretation, (2) patent infringement by Beautone and Kudos, (3) patent validity under 35 U.S.C. 102(f), 102(g), and 112, and (4) domestic industry. The Commission has determined not to review the remainder of the ID. The Commission also determined to remand the ID to the presiding ALJ to make additional findings and to clarify certain other findings made in the ID, and has directed the ALJ to issue her ID on remand on or before August 8, 1995. The ID on remand will be processed in accordance with Commission interim rules 210.53 and 210.54.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and §§ 210.53, 210.56, and 210.58 of the Commission's Interim Rules of Practice and Procedure (19 C.F.R. 210.53, 210.56, and 210.58).

Copies of the nonconfidential version of the ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

Issued: May 23, 1995.

By order of the Commission.

Donna R. Koehnke,
Secretary.

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[Investigation No. 337-TA-376]

Certain Variable Speed Wind Turbines and Components Thereof; Investigation

AGENCY: International Trade Commission.

ACTION: Institution of investigation pursuant to 19 U.S.C. 1337.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on April 21, 1995, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Kenetech Windpower, Inc., 6952 Preston Avenue, Livermore, California 94550. The complaint alleges a violation of section 337 based on the importation, the sale for importation, and/or the sale within the United States after importation of certain variable speed wind turbines and components thereof, by reason of alleged induced and contributory infringement of claim 131 of U.S. Letters Patent 5,083,039 and claim 51 of U.S. Letters Patent 5,223,712. The complaint further alleges that there exists an industry in the United States as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after a hearing, issue a permanent exclusion order and permanent cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW, Room 112, Washington, DC 20436, telephone 202-205-2000. Hearing-impaired individuals are advised that information on this matter can be obtained by contacting the Commission's T.D.D. terminal on 202-205-1810.

FOR FURTHER INFORMATION CONTACT: Thomas S. Fusco, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone 202-205-2571.

Authority

The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in § 210.10 of the Commission's