

International Trade Commission, on February 20, 1997, *ordered* That—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain ion trap mass spectrometers and components thereof by reason of infringement of one or more of claims 1–20 of U.S. Letters Patent 4,540,884, or one or more of claims 1, 12–19 of U.S. Reissue Patent 34,000; and whether there exists an industry in the United States as required by subsection (a)(2) of section 337.

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is—Finnigan Corporation, 355 River Oaks Parkway, San Jose, California 95134.

(b) The respondents are the following companies alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Bruker-Franzen Analytik GmbH,
Fahrenheitstrasse 4, D–28359, Bremen
33, Germany

Bruker Instruments, Inc., Manning Park,
Fortune Drive, Billerica,
Massachusetts 01821

Hewlett-Packard Company, 3000
Hanover Street, Palo Alto, California
94304.

(c) Juan Cockburn, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Room 401–Q, Washington, D.C. 20436, shall be the Commission investigative attorney, party to this investigation; and

(3) For the investigation so instituted, the Honorable Sidney Harris is designated as the presiding administrative law judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with § 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.13. Pursuant to §§ 201.16(d) and 210.13(a) of the Commission's Rules, 19 C.F.R. 201.16(d) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter both an initial determination and a final determination containing such findings, and may result in the issuance of a limited exclusion order or a cease and desist order or both directed against such respondent.

Issued: February 20, 1997.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 97–4729 Filed 2–25–97; 8:45 am]

BILLING CODE 7020–02–P

[Investigation No. 701–TA–367 (Final)]

Certain Laminated Hardwood Flooring From Canada

AGENCY: United States International Trade Commission.

ACTION: Termination of investigation.

SUMMARY: On February 4, 1997, the Department of Commerce published notice in the Federal Register of a negative final determination of subsidies in connection with the subject investigation (62 F.R. 5201).

Accordingly, pursuant to section 207.40(a) of the Commission's Rules of Practice and Procedure (19 CFR § 207.40(a)), the countervailing duty investigation concerning certain laminated hardwood from Canada (investigation No. 701–TA–367 (Final)) is terminated.

EFFECTIVE DATE: February 4, 1997.

FOR FURTHER INFORMATION CONTACT: Olympia Hand (202–205–3182), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (<http://www.usitc.gov> or <ftp://ftp.usitc.gov>).

Authority: This investigation is being terminated under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 201.10 of the Commission's rules (19 CFR § 201.10).

Issued: February 21, 1997.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 97–4732 Filed 2–25–97; 8:45 am]

BILLING CODE 7020–02–P

[Investigations Nos. 731–TA–741, 742, & 743 (Final)]

Melamine Institutional Dinnerware from China, Indonesia, and Taiwan

Determinations

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission determines, pursuant to section 735(b) of the Tariff Act of 1930 (19 U.S.C. 1673d(b)) (the Act), that the industry in the United States producing melamine dinnerware for institutional use² is materially injured by reason of imports from China, Indonesia, and Taiwan of melamine dinnerware, as defined by the Department of Commerce (Commerce), that have been found by Commerce to be sold in the United States at less than fair value (LTFV), and that are for institutional use.^{3,4}

The Commission further finds that the industry in the United States producing melamine dinnerware for non-institutional use⁵ is not materially injured or threatened with material injury, and the establishment of such an industry in the United States is not materially retarded, by reason of LTFV imports of melamine dinnerware from China and Taiwan that are for non-institutional use. The Commission also unanimously determines that subject imports of melamine dinnerware for

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

² Defined as melamine dinnerware that is intended for use by institutions such as schools, hospitals, cafeterias, restaurants, nursing homes, etc.

³ In these investigations, Commerce has defined a single class or kind of imported merchandise, consisting of all items of dinnerware (e.g., plates, cups, saucers, bowls, creamers, gravy boats, serving dishes, platters, and trays, but not including flatware products such as knives, forks, and spoons) that contain at least 50 percent melamine by weight and have a minimum wall thickness of 0.08 inch. Melamine institutional dinnerware is provided for in subheadings 3924.10.20, 3924.10.30, and 3924.10.50 of the Harmonized Tariff Schedule of the United States.

⁴ Commissioner Crawford dissenting.

⁵ Defined as melamine dinnerware that is generally sold to the retail sector and is intended for use by households.