

For a period of two years from the date of publication in the **Federal Register**, this land will be segregated from the mining laws as specified above unless the application is denied or cancelled or the withdrawal is approved prior to that date. During this period the Forest Service will continue to manage this land.

Jenny L. Saunders,

Realty Officer.

[FR Doc. 97-7152 Filed 3-20-97; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

Certain EPROM, EEPROM, Flash Memory, and Flash Microcontroller Semiconductor Devices and Products Containing Same; Notice of Investigation

[Investigation No. 337-TA-395]

AGENCY: U.S. 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 February 18, 1997, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Atmel Corporation, 2325 Orchard Parkway, San Jose, CA 95131. A supplemental complaint was filed on March 10, 1997, accompanied by a letter dated March 7, 1997. A second supplemental complaint was filed on March 13, 1997, accompanied by a letter dated March 12, 1997. The complaint, as supplemented, alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain EPROM, EEPROM, flash memory, and flash microcontroller semiconductor devices and products containing same by reason of infringement of claim 1 of U.S. Letters Patent 4,511,811, claim 1 of U.S. Letters Patent 4,673,829, claim 1 of U.S. Letters Patent 4,794,565, and claims 1-9 of U.S. Letters Patent 4,451,903. 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, S.W., Room 112, Washington, D.C. 20436, telephone 202-205-2000. Hearing-impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

FOR FURTHER INFORMATION CONTACT: Christine E. Lehman, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone 202-205-2582.

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (1996).

Scope of Investigation

Having considered the complaint, the U.S. International Trade Commission, on March 17, 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 EPROM, EEPROM, flash memory, or flash microcontroller semiconductor devices or products containing same by reason of infringement of claim 1 of U.S. Letters Patent 4,511,811, claim 1 of U.S. Letters Patent 4,673,829, claim 1 of U.S. Letters Patent 4,794,565, or claims 1-9 of U.S. Letters Patent 4,451,903, 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—Atmel Corporation, 2325 Orchard Parkway, San Jose, California 95131.

(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:

Sanyo Electric Co., Ltd., 5-5 Keihan-hondori 2-chome, Osaka, 570, Japan
Winbond Electronics Corporation,
Number 2, R&D Road VI, Science-

Based Industrial Park, Hsinchu, Taiwan

Winbond Electronics North, America Corporation, 2730 Orchard Parkway, San Jose, California 95134

Macronix International Co., Ltd., 3F, 4 Creation Road IV, Science-Based Industrial Park, Hsinchu, Taiwan

Macronix, Inc., (a.k.a. Macronix America, Inc.), 1338 Ridder Park Drive, San Jose, California 95131.

(c) Christine E. Lehman, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Room 401-I, Washington, DC 20436, who shall be the Commission investigative attorney, party to this investigation; and

(3) For the investigation so instituted, the Honorable Paul J. Luckern 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 section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d) and 210.13(a) of the Commission's Rules, 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: March 18, 1997.

By order of the Commission.

Donna R. Koehnke,
Secretary.

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