

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-383 Advisory Opinion Proceeding]

Certain Hardware Logic Emulation Systems and Components Thereof, Notice of Institution of an Advisory Opinion Proceeding

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to institute an advisory opinion proceeding in connection with the above-captioned investigation.

FOR FURTHER INFORMATION CONTACT: Timothy P. Monaghan, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW, Washington, DC 20436, telephone 202-205-3152. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

SUPPLEMENTARY INFORMATION: The above-captioned investigation was instituted on March 8, 1996, based on a complaint by Quickturn Design Systems, Inc. ("Quickturn"). The respondents named in the investigation were Mentor Graphics Corporation ("Mentor") and Meta Systems ("Meta"). The products at issue were certain hardware logic emulation systems used in the semiconductor industry to debug and test electronic circuit designs for semiconductor devices.

On July 31, 1997, the presiding administrative law judge ("ALJ") issued his final initial determination ("ID") finding that Mentor and Meta had violated section 337 by infringing certain claims of U.S. Letters Patent 5,329,470, 5,036,473, 5,448,496, and 5,109,353, all owned by Quickturn. On October 2, 1997, the Commission determined not to review the ALJ's final ID, and on December 3, 1997, issued a limited exclusion order prohibiting the importation of respondents' emulators and components thereof found to infringe one or more of the patent claims in controversy. The Commission also issued a cease and desist order prohibiting, *inter alia*, the electronic importation and transmission of infringing hardware emulation software.

On August 20, 1999 Mentor and Meta (hereinafter collectively "Mentor") filed

a petition with the Commission requesting issuance of an advisory opinion pursuant to Commission rule 210.79(a) (19 CFR 210.79). Mentor contends that remote access from the United States of Meta's hardware logic emulation systems housed in "design verification centers" located outside the United States, would not infringe Quickturn's patents and, therefore, would not be covered by the Commission's limited exclusion order and/or the cease and desist order. On September 1, 1999, Quickturn moved for leave to respond to Mentor's petition for an advisory opinion (Motion Docket No. 383-149C), and attached a response to Mentor's petition. On September 28, 1999, Mentor moved for leave to reply to Quickturn's response to Mentor's petition for an advisory opinion (Motion Docket No. 383-150C), and attached a reply to Quickturn's response to Mentor's petition.

The Commission granted both motions for leave to file and instituted an advisory opinion proceeding. The advisory opinion proceeding was certified to the presiding ALJ with instructions to issue an IAO within nine months of the date of publication of this notice.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, and Commission rule 210.79(a), 19 CFR 210.79(a).

By order of the Commission.

Issued: November 10, 1999.

Donna R. Koehnke,

Secretary.

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INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 701-TA-309-A-B (Review) and 731-TA-528 (Review)]

Magnesium From Canada

AGENCY: United States International Trade Commission.

ACTION: Notice of Commission determinations to conduct full five-year reviews concerning the countervailing duty and antidumping duty orders on magnesium from Canada.

SUMMARY: The Commission hereby gives notice that it will proceed with full reviews pursuant to section 751(c)(5) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(5)) to determine whether revocation of the countervailing duty and antidumping duty orders on magnesium from Canada would be

likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. The Commission has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B); a schedule for the reviews will be established and announced at a later date.

For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207). Recent amendments to the Rules of Practice and Procedure pertinent to five-year reviews, including the text of subpart F of part 207, are published at 63 FR 30599, June 5, 1998, and may be downloaded from the Commission's World Wide Web site at <http://www.usitc.gov/rules.htm>.

EFFECTIVE DATE: November 4, 1999.

FOR FURTHER INFORMATION CONTACT: George Deyman (202-205-3197), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter 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>).

SUPPLEMENTARY INFORMATION: On November 4, 1999, the Commission determined that it should proceed to full reviews in the subject five-year reviews pursuant to section 751(c)(5) of the Act. The Commission found that both domestic and respondent interested party group responses to its notice of institution (64 FR 41961, August 2, 1999) were adequate. A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's web site.

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

By order of the Commission.