ftc.gov.'' Alternatively, electronic submissions may be filed on a 3–1/2 inch computer disk with a label on the disk stating the name of the submitter and the name and version of the word processing program used to create the document.

FOR FURTHER INFORMATION CONTACT: Matthew Bye, Office of General Counsel, Policy Studies, 600 Pennsylvania Avenue, NW., Room 505, Washington, DC 20580; telephone (202) 326–3522; e-mail: *mbye@ftc.gov.* Detailed agendas for the hearings will be available on the FTC Home Page *(http://www.ftc.gov)* and through Angela Wilson, Staff Assistant, at (202) 326–3190.

SUPPLEMENTARY INFORMATION: The issues that juxtapose competition and intellectual property policy are ones that have potentially broad implications for the development of the U.S. economy and consumer welfare. Courts have recognized that ''[although] the aims and objectives of patent and antitrust laws may seem, at first glance, wholly at odds[, . . .] the two bodies of law are actually complementary, as both are aimed at encouraging innovation, industry, and competition.'' [1]

Yet the question of how to balance intellectual property and competition policy in particular circumstances has generated significant debate and discussion over the decades. During the 1970's, federal antitrust enforcement received justified criticism for certain policies—since revised [2]—overly hostile to the appropriate use of patents. More recently, some have questioned whether certain intellectual property policies, practices, and doctrines incorporate a proper appreciation of competitive issues, including ways in which intellectual property protection may impede—rather than encourage—innovation. Others have raised questions on whether certain antitrust approaches are properly appreciative of the need to promote innovation. The intersection of antitrust and intellectual property law continues to present difficult questions, and the debate may have intensified as the knowledge economy has increased in its importance to consumer welfare.

Thus, a series of hearings to explore the issues raised in this ongoing debate is timely. We approach these issues with open minds and in a spirit of learning. The hearings that are announced in this notice will, it is hoped, further fact gathering, learning, dialogue, and discussion among the affected parties, and will result in a greater understanding of and consensus about the approaches to policy in these areas that are most likely to benefit U.S. consumers.

The hearings will include consideration of the following general issues. This list is not exhaustive, and parties submitting written comments do not have to address each issue.

General Issues for Consideration

What roles do competition and intellectual property law and policy play in fostering initial and follow-on innovation? From a practical business perspective, how does each contribute to or impede ongoing innovation? What do empirical studies show?

What is the frequency of cross-licensing, patent pooling, and other arrangements for the transfer or joint use of intellectual property? Does their use or usefulness vary across industries? What business reasons most typically underlie their creation? What intellectual property and competition issues do they typically raise? Have the guideposts for antitrust analysis established by the DOJ/FTC Antitrust Guidelines for the Licensing of Intellectual Property proved useful?

To what extent does commercialization of new technology require multiple licenses from multiple patentees—that is, to what extent do ''patent thickets'' exist? How do they affect both practices with respect to intellectual property and competition among innovator companies? How should policymakers take this into account?

What competition issues arise in the settlement of patent disputes and in the context of other agreements, such as standard setting, that involve patent rights? What should be the standards for assessing the antitrust significance of a unilateral refusal to deal, an issue recently addressed by the Federal Circuit's decision in *CSU v. Xerox?* [3] To what extent has the Federal Circuit become an increasingly important source of antitrust doctrine?

To what extent do questions about the scope and types of patents (*e.g.,* business methods patents), and the procedures and criteria under which they are issued, raise competition issues? To what extent do substantive and procedural rules, both at agency and judicial levels, have implications for initial and sequential innovation, competition, and appropriability? What are the facts in this area?

To what extent is the assessment of these and other intellectual property-related questions different for new technologies? How does the globalization of the economy affect the assessment of these and related issues? What further insights can be offered to both intellectual property and antitrust doctrine from economics and other disciplines?

To what extent should, and if so, how might, fact gathering and other learning from the hearings be incorporated into competition and intellectual property practices, doctrine, and procedures?

The hearings will be transcribed and placed on the public record. Any comments received also will be placed on the public record. A public report that incorporates the results of the hearings, as well as other research, will be prepared after the hearings.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 01–28943 Filed 11–19–01; 8:45 am]

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[1] *Atari Games Corp.* v. *Nintendo of Am., Inc.,* 897 F. 2d 1572, 1576 (Fed. Cir. 1990).

[2] *See generally,* U.S. Department of Justice and Federal Trade Commission, *Antitrust Guidelines for the Licensing of Intellectual Property* (1995).

[3] In re Independent Service Organizations Antitrust Litigation, 203 F. 3d 1322, 1327 (Fed. Cir. 2000), cert. denied, CSU, L.L.C. v. Xerox Corp., 121 S.Ct. 1077 (2001).

FEDERAL TRADE COMMISSION

Granting of Request for Early Termination of the Waiting Period Under the Premerger Notification Rules

Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Federal Trade Commission and the Assistant Attorney General Advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expirationa nd requires that notice of this action be published in the *Federal Register.*

The following transactions were granted early terminated of the witing period provided by law and the premerger notification rules. The grants were made by the Federal Trade Commission and the Assistant Attorney General for the Antitrust Division of the Department of Justice. Neither agency intends to take any action with respect to these proposed acquisitions during the applicable waiting period.

Trans#	Acquiring	Acquired	Entities
Transactions Granted Early Termination—10/15/2001			
20012431	The Mead Corporation	Westvaco Corporation	Westvaco Corporation.
20012432	Westvaco Corporation	The Mead Corporation	The Mead Corporation.
20020004	Dennis Wood	Solectron Corporation	Solectron Corporation.
20020006	Flextronics International Ltd	Xerox Corporation	Xerox Corporation.
20020007	Paul G. Allen	High Speed Access Corp	High Speed Access Corp.
20020011	Solectron Corporation	Stream International Inc	Stream International Inc.
20020012	El Paso Energy Partners, L.P	El Paso Corporation	Deepwater Holdings, L.L.C.
20020016	Sun Capital Partners II, L.P	Brunswick Corporation	Igloo Holding, Inc. Igloo Products Corp.
20020017	Mellon Financial Corporation	Eagle Investment Systems Corp	Eagle Investment Systems Corp.
Transactions Granted Early Termination—10/16/2001			
20012471	M. Francois Pinault	Gucci Group N.V	Gucci Group N.W.
Transactions Granted Early Termination—10/18/2001			
20012467	O. Bruton Smith	Ray Childress Acquisition I, L.O	Ray Childress Acquisition I, L.P.
20012473	UTI Corporation	Unique Instruments, Inc	Unique Instruments, Inc.
20020018	AirGate PCS, Inc	iPCS, Inc	iPCS, Inc.
Transactions Granted Early Termination—10/19/2001			
20020005	Stiching Interbrew	Brauerei Beck GmbH & Co. KG	Brauerei Beck GmbH & Co. KH.
20020019	General Electric Company	Spirent pic	Spirent Sensing, Inc.
20020029	Hitachi, Ltd	Tactica Holdings, Inc	Tactica Holdings, Inc.
20020031	Hilfreich Foundation	The Resort at Summerlin Limited Partnership.	The Resort at Summerlin Limited, Partnership.
20020034	Blackstone iPCS Capital Partners L.P.	AirGate PCS, Inc	AirGate PCS, Inc.
20020035	Blackstone Communications Partners I, L.P.	AirGate PCS, Inc	AirGate PCS, Inc.
Transactions Granted Early Termination—10/22/2001			
20020041	nv Nuon	Utilities, Inc	Utilities, Inc.
Transactions Granted Early Termination—10/23/2001			
20020010	Ascension Health	Baptist Hospital System, Inc	Baptist Hospital System, Inc.
20020033	The Bank of New York Company, Inc	Westminster Research Associates, Inc	Westminster Research Associates, Inc.
Transactions Granted Early Termination—10/26/2001			
20020022	Daughters of Charity Ministry Service Corporation.	Catholic Healthcare West	Catholic Healthcare West.

FOR FURTHER INFORMATION CONTACT: Sandra M. Peay or Parcellena P. Fielding, Contact Representatives, Federal Trade Commission, Premerger Notification Officer, Bureau of Competition, Room 303, Washington, DC 20580, (202) 326–3100.

By Direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 01–28941 Filed 11–19–01; 8:45 am]

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FEDERAL TRADE COMMISSION

Granting of Request for Early Termination of the Waiting Period Under the Premerger Notification Rules

Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Federal Trade Commission and the Assistant Attorney General advance notice and to wait designated periods before consummation of such plans Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register**.

The following transactions were granted early termination of the waiting period provided by law and the premerger notification rules. The grants were made by the Federal Trade Commission and the Assistant Attorney General for the Antitrust Division of the Department of Justice. Neither agency intends to take any action with respect to these proposed acquisitions during the applicable waiting period.

Trans #	Acquiring	Acquired	Entitites
Transactions Granted Early Termination—10/29/2001			
20020042	Omnicom Group Inc.	Schwartz Paper Company	Integrated Merchandising Systems LLC.