

§ 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in the final phase of this investigation available to authorized applicants under the APO issued in the investigation, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the investigation. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

**Staff report.** The prehearing staff report in the final phase of this investigation will be placed in the nonpublic record on December 3, 2002, and a public version will be issued thereafter, pursuant to § 207.22 of the Commission's rules.

**Hearing.** The Commission will hold a hearing in connection with the final phase of this investigation beginning at 9:30 a.m. on December 16, 2002, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before December 9, 2002. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on December 12, 2002, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by §§ 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony in camera no later than 7 days prior to the date of the hearing.

**Written submissions.** Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of § 207.23 of the Commission's rules; the deadline for filing is December 10, 2002. Parties may also file written testimony in connection with their presentation at the hearing, as provided in § 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of § 207.25 of the Commission's rules. The deadline for filing posthearing briefs is December 23, 2002; witness testimony must be filed no later than three days before the hearing. In addition, any person who has not entered an appearance as a party to the investigation may submit a

written statement of information pertinent to the subject of the investigation on or before December 23, 2002. On January 8, 2003, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before January 10, 2003, but such final comments must not contain new factual information and must otherwise comply with § 207.30 of the Commission's rules. All written submissions must conform with the provisions of § 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means.

In accordance with §§ 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** This investigation is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.21 of the Commission's rules.

By order of the Commission.

Issued: August 29, 2002.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 02-22604 Filed 9-4-02; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-454]

### **Certain Set-Top Boxes and Components Thereof; Notice of Decisions to Review in Part, Take No Position in Part, and Not Review in Part the Administrative Law Judges Final Initial Determination; Notice of Decisions to Affirm Three Rulings of the Administrative Law Judge; Notice of Determination of No Violation of Section 337 of the Tariff Act of 1930**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to review in part, to take no position in part, and

to not review in part the final initial determination ("final ID") issued by the presiding administrative law judge ("ALJ") on June 21, 2002, finding no violation of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, in the above-captioned investigation. Specifically, the Commission determined to review the issue of the technical prong of the domestic industry as it relates to claim 42 of U.S. Letters Patent 4,706,121 for the purpose of making a finding as to claim 42 of that patent that was omitted by the ALJ. The Commission also determined to take no position on the issue of patent misuse and to not review the remainder of the final ID. Finally, the Commission determined to affirm three ALJ rulings (involving ALJ Order No. 62, an ALJ ruling excluding evidence concerning the doctrine of equivalents, and an ALJ ruling limiting the testimony time of one witness) that were appealed to the Commission by the complainants. In light of these determinations, the Commission determined that there is no violation of section 337 in this investigation.

#### **FOR FURTHER INFORMATION CONTACT:**

Michael Liberman, Esq., or David Wilson, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephones (202) 205-3115 or (202) 708-2310, respectively. Copies of the public versions of the final 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. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS -ON-LINE) at <http://dockets.usitc.gov/eol/public>.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this patent-based investigation, which concerns allegations of unfair acts in violation of section 337 of the Tariff Act of 1930 in the importation and sale of certain set-top boxes, on March 14, 2001. 66 FR 15887 (2001). Complainants Gemstar-TV Guide International, Inc. of Pasadena, California, and StarSight Telecast, Inc. of Fremont, California, named Pioneer

Corporation, Pioneer North America, Inc., Pioneer Digital Technologies, Inc., Pioneer New Media Technologies, Inc., Scientific-Atlanta, Inc., EchoStar Communications Corporation, and SCI Systems, Inc. as respondents.

The ALJ held an evidentiary hearing from December 3, 2001, through December 19, 2001, and issued his final ID on June 21, 2002, in which he concluded that there was no violation of section 337, based on the following findings: (a) Complainants have failed to establish that the asserted claims 18–24, 26–28, 31–33, 36, 42–43, 48–50, 54, 57, 59–61, and 66 of U.S. Letters Patent 4,706,121 (the ‘121’ patent); claims 1, 3, 8, and 10 of United States Patent 5,479,268 (the ‘268’ patent); and claims 1, 3, 8, and 10 of U.S. Letters Patent 5,809,204 (the ‘204’ patent) are infringed by respondents; (b) respondents have failed to establish that the asserted claims are not valid; (c) respondents have established that the ‘121’ patent is unenforceable for failure to name a co-inventor; (d) complainants have engaged in patent misuse with respect to the ‘121’ patent; (e) no industry exists in the United States, as required by subsection (a)(2) of section 337, that exploits each of the ‘121’, ‘268’, and ‘204’ patents in issue; and (f) there has been an importation of the set-top boxes which are the subject of this investigation.

On July 5, 2002, all parties to this investigation, including the Commission investigative attorney, filed petitions for review of various portions of the final ID. On July 12, 2002, all the parties filed responses to the petitions for review.

Having examined the record in this investigation, including the final ID, the petitions for review, and the responses thereto, the Commission determined that there is no violation of section 337 in this investigation.

This action is taken under the authority of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) and Subpart G of Part 210 of the Commission’s rules of practice and procedure (19 CFR Subpart G, Part 210).

By order of the Commission.  
Issued: August 29, 2002.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 02–22603 Filed 9–4–02; 8:45 am]

**BILLING CODE 7020–02–P**

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### Manufacturer of Controlled Substances; Notice of Application

Pursuant to section 1302.33(a) of Title 21 of the Code of Federal Regulations (CFR), this is notice that on May 2, 2002, ISP Freetown Fine Chemicals, Inc., 238 South Main Street, Freetown, Massachusetts 02702, made application by letter to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the basic classes of controlled substances listed below:

Drug	Schedule
Methylphenidate (1724) .....	II
Dextropropoxyphene, bulk (non-dosage forms) (9273).	II

The firm plans to bulk manufacture the methylphenidate to produce a commercial product and manufacture the dextropropoxyphene to supply the generic market.

Any other such applicant and any person who is presently registered with DEA to manufacture such substance may file comments or objections to the issuance of the proposed registration.

Any such comments or objections may be addressed, in quintuplicate, to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, DC 20537, Attention: DEA Federal Register Representative (CCR), and must be filed no later than November 4, 2002.

Dated: August 23, 2002.

**Laura M. Nagel,**

*Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.*

[FR Doc. 02–22556 Filed 9–4–02; 8:45 am]

**BILLING CODE 4410–09–M**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. ICR–1218–0244(2002)]

#### OSHA Strategic Partnership Program for Worker Safety and Health

**AGENCY:** Occupational Safety and Health Administration, Labor.

**ACTION:** Request for comment.

**SUMMARY:** The Occupational Safety and Health Administration (OSHA) requests comments concerning the proposed

extension of information-collection requirements specified in the OSHA Strategic Partnership Program for Worker Safety and Health (OSPP).

**DATES:** Comments must be submitted by the following dates:

*Hard copy:* Your comments must be submitted (postmarked or sent) by November 4, 2002.

*Facsimile and electronic transmission:* Your comments must be sent by November 4, 2002.

(Please see the Supplementary Information below for additional information on submitting comments.)

#### ADDRESSES:

##### I. Submission of Comments

Regular mail, express delivery, hand-delivery, and messenger service: Submit your comments and attachments to the OSHA Docket Office, Docket No. ICR–1218–0244(2002), Room N–2625, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210. OSHA Docket Office and Department of Labor hours of operation are 8:15 a.m. to 4:45 p.m., EST.

*Facsimile:* If your comments, including any attachments, are 10 pages or fewer, you may fax them to the OSHA Docket Office at (202) 693–1648. You must include the docket number of this document, Docket No. ICR–1218–0244(2002), in your comments.

*Electronic:* You may submit comments, but not attachments, through the Internet at <http://ecomments.osha.gov/>.

(Please see the Supplementary Information below for additional information on submitting comments.)

##### II. Obtaining Copies of Supporting Statement for the Information Collection

The Supporting Statement for the Information Collection is available for downloading from OSHA’s Web site at <http://www.osha.gov>. The supporting statement is available for inspection and copying in the OSHA Docket Office, at the address listed above. A printed copy of the supporting statement can be obtained by contacting Cathy Oliver at (202) 693–2213 or Todd Owen at (202) 693–2444.

#### FOR FURTHER INFORMATION CONTACT:

Cathy Oliver, Directorate of Cooperative and State Programs, Occupational Safety and Health Administration, U.S. Department of Labor, Room N3700, 200 Constitution Avenue, NW., Washington, DC 20210, (202) 693–2208.

#### SUPPLEMENTARY INFORMATION: