

to Kinik's petition for review and its appeal of Order No. 40.

On March 29, 2002, the Commission determined not to review the ALJ's final ID, which therefore became the determination of the Commission. The Commission also issued an opinion affirming the ALJ's Order No. 40.

On August 16, 2002, Kinik appealed the Commission's determination to the U.S. Court of Appeals for the Federal Circuit. 3M intervened in the appeal and the parties filed briefs with the Court. The Federal Circuit issued an opinion on March 25, 2004. The Court construed claim 1 more narrowly than had the Commission and reversed the Commission's finding of infringement. 3M filed a petition for a panel rehearing and hearing *en banc* with the Court on April 20, 2004. However, the Federal Circuit denied the petitions and issued the mandate on May 20, 2004. As the Federal Circuit has reversed the Commission's finding of infringement with respect to Kinik's process, the Commission determined that there was no longer a basis for the limited exclusion order or the cease and desist order issued in this investigation, and therefore vacated the orders.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337.

By order of the Commission.  
Issued: June 21, 2004.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 04-14507 Filed 6-24-04; 8:45 am]

BILLING CODE 7020-02-P

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-515]

### In the Matter of Certain Injectable Implant Compositions; Notice of Investigation

**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 May 26, 2004 under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Inamed Corporation of Santa Barbara, California. An amended complaint was filed on June 16, 2004, and a letter supplementing the amended complaint was filed on June 17, 2004. The amended complaint 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 injectable implant compositions by reason of infringement of claims 1, 2, 7, 12, 18, 20, 25, 26, 30, 31, 32, 33 and 34 of U.S. Patent No. 4,803,075. The amended complaint further alleges that an industry in the United States exists, or is in the process of being established, as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a permanent exclusion order and permanent cease-and-desist orders.

**ADDRESSES:** The amended 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, SW., Room 112, Washington, DC 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. 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 at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket imaging system (EDIS) at <http://edis.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Karin J. Norton, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone 202-205-2606.

**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 (2003).

**Scope of Investigation:** Having considered the amended complaint, the U.S. International Trade Commission, on June 21, 2004, 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 injectable implant compositions by reason of infringement of claims 1, 2, 7, 12, 18, 20, 25, 26, 30, 31, 32, 33 or 34 of U.S. Patent No.

4,803,075, and whether an industry in the United States exists 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—

Inamed Corporation, 5540 Ekwill Street, Santa Barbara, CA 93111.

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

Q-Med Aktiebolag, Seminariegatan 21, 752 28 Uppsala, Sweden.

Medicis Aesthetics, Inc., 8125 North Hayden Road, Scottsdale, AZ 85258.

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

(4) For the investigation so instituted, the Honorable Delbert R. Terrill, Jr. is designated as the presiding administrative law judge.

A response 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), 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 the responses to the complaint and the notice of investigation 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 a final determination containing such findings, and may result in the issuance of a limited exclusion order or cease-and-desist order or both directed against such respondent.

By order of the Commission.

Issued: June 22, 2004.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 04-14508 Filed 6-24-04; 8:45 am]

**BILLING CODE 7020-02-P**

## **INTERNATIONAL TRADE COMMISSION**

[Investigation No. 337-TA-500]

### **In the Matter of Certain Purple Protective Gloves; Notice of Commission Determination Not To Review an Initial Determination Terminating the Investigation as to the Delta Respondents on the Basis of a Consent Order; Issuance of Consent Order**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination ("ID") (ALJ Order No. 16) of the presiding administrative law judge ("ALJ") in the above-captioned investigation terminating the investigation as to respondents the Delta Group; Delta Hospital Supply, Inc.; Delta Medical Systems, Inc.; and Delta Medical Supply Group, Inc. (collectively, the "Delta Respondents") on the basis of a consent order.

**FOR FURTHER INFORMATION CONTACT:** Michael Diehl, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202-205-3095. 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) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

**SUPPLEMENTARY INFORMATION:** On November 26, 2003, the Commission instituted an investigation into alleged violations of section 337 of the Tariff Act of 1930 in the importation and sale of certain purple protective gloves by reason of infringement of U.S. Registered Trademark Nos. 2,596,539, 2,533,260, and 2,593,382.

On May 14, 2004, complainants Kimberly-Clark Corporation and Safeskin Corporation (collectively "K-C/Safeskin") and the Delta Respondents

jointly moved to terminate the investigation as to the Delta Respondents based on a confidential settlement agreement, consent order stipulation, and proposed consent order. On May 26, 2004, the Commission investigative attorney filed a response in support of the joint motion. No other responses were received.

On June 1, 2004, the ALJ issued an ID (Order No. 16) granting the joint motion. No party petitioned for review of the ID.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and section 210.42 of the Commission's Rules of Practice and Procedure (19 CFR 210.42).

Copies of the ID and all other nonconfidential documents filed in connection with this investigation are 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.

Issued: June 22, 2004.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 04-14509 Filed 6-24-04; 8:45 am]

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## **INTERNATIONAL TRADE COMMISSION**

[Investigation No. 337-TA-500]

### **In the Matter of Certain Purple Protective Gloves; Notice of Commission Determination Not To Review an Initial Determination Terminating the Investigation as to Respondents Medtex Partners and Latexx Partners on the Basis of a Settlement Agreement**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination ("ID") (ALJ Order No. 15) of the presiding administrative law judge ("ALJ") in the above-captioned investigation terminating the investigation as to respondents Medtex Partners ("Medtex") and Latexx Partners ("Latexx") on the basis of a settlement agreement.

**FOR FURTHER INFORMATION CONTACT:** Michael Diehl, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW.,

Washington, DC 20436, telephone 202-205-3095. 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) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. Copies of the ID and all other nonconfidential documents filed in connection with this investigation are 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.

**SUPPLEMENTARY INFORMATION:** On November 26, 2003, the Commission instituted an investigation into alleged violations of section 337 of the Tariff Act of 1930 in the importation and sale of certain purple protective gloves by reason of infringement of U.S. Registered Trademark Nos. 2,596,539, 2,533,260, and 2,593,382.

On April 28, 2004, complainants Kimberly-Clark Corporation and Safeskin Corporation (collectively "K-C/Safeskin") and respondents Medtex and Latexx jointly moved to terminate the investigation as to Medtex and Latexx based on a confidential settlement agreement. K-C/Safeskin supplemented the joint motion on April 30, 2004. On May 11, 2004, the Commission investigative attorney filed a response in support of the joint motion. No other responses were received.

On May 24, 2004, the ALJ issued an ID (Order No. 15) granting the joint motion. No party petitioned for review of the ID.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and section 210.42 of the Commission's Rules of Practice and Procedure (19 CFR 210.42).

By order of the Commission.

Issued: June 22, 2004.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

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