

submitted by the named respondent 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 response 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 response to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of the 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 the respondent.

Issued: August 3, 2004.

By order of the Commission.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 04-18016 Filed 8-5-04; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 731-TA-1043-1045 (Final)]

Polyethylene Retail Carrier Bags from China, Malaysia, and Thailand

Determinations

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission (Commission) determines, pursuant to section 735(b) of the Tariff Act of 1930 (19 U.S.C. 1673d(b)) (the Act), that an industry in the United States is materially injured by reason of imports from China, Malaysia, and Thailand of polyethylene retail carrier bags (PRCBs), provided for in subheading 3923.21.00 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce

(Commerce) to be sold in the United States at less than fair value (LTFV).

Background

The Commission instituted these investigations effective June 20, 2003, following receipt of a petition filed with the Commission and Commerce by an ad hoc coalition of U.S. polyethylene retail carrier bag producers (consisting of Intoplast Group, Ltd. (Intoplast), Livingston, NJ; PCL Packaging, Inc. (PCL), Barrie, Ontario; Sonoco Products Company (Sonoco), Hartsville, SC; Superbag Corp. (Superbag), Houston, TX; and Vanguard Plastics, Inc. (Vanguard), Farmers Branch, TX). The final phase of the investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of PRCBs from China, Malaysia, and Thailand were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. § 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigations and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of February 9, 2004 (69 FR 6004). The hearing was held in Washington, DC, on June 10, 2004, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on August 2, 2004. The views of the Commission are contained in USITC Publication 3710 (July 2004), entitled Polyethylene Retail Carrier Bags from China, Malaysia, and Thailand: Investigations Nos. 731-TA-1043-1045 (Final).

Issued: August 3, 2004.

By order of the Commission.

Marilyn R. Abbott,

Secretary to the Commission.

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INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-517]

Notice of Investigation; Certain Shirts With Pucker-Free Seams and Methods of Producing Same; Corrected;

AGENCY: 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 July 1, 2004, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of TALTECH Limited of Tortola, British Virgin Islands, TAL Apparel Limited of Kowloon, Hong Kong, and The Apparel Group Limited of Addison, Texas. A letter supplementing the complaint was filed on July 21, 2004. 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 shirts with pucker-free seams by reason of infringement of claims 1, 4, 20, and 22 of U.S. Patent No. 5,568,779; claims 1, 11, 19, and 26 of U.S. Patent No. 5,590,615; claims 1, 3, 13, and 16 of U.S. Patent No. 5,713,292; and claims 16, 19, 35, and 38 of U.S. Patent No. 6,079,343. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue a permanent exclusion order and a permanent cease and desist order.

ADDRESSES: The complaint and supplement, except for any confidential information contained therein, 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., 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 document information system (EDIS) at <http://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Juan Cockburn, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone 202-205-2572.

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

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR § 207.2(f)).