

- (a) "Horizontal peripheral third surface" (claims 1, 13);  
 (b) "vertical outer peripheral surface" (claims 1, 13); and  
 (c) "horizontal third surface" (claim 1)?

4. How should the following claim limitations be construed:

- (a) "The second surface of the die pad is exposed in the plane of the first exterior surface of the package body" ('277 patent, claim 18); and  
 (b) "the second surface of each lead is exposed in a horizontal plane of a first exterior surface of the package" ('356 patent, claims 1, 13)?

In particular, please address how plating affects whether "the second surface of the die pad" in claim 18 of the '277 patent and "the second surface of each lead" in claims 1 and 13 of the '356 patent are "exposed."

5. Do the preambles of claims 1 and 3 of the '728 patent constitute claim limitations? In particular, please address how the intrinsic evidence supports your position in light of the teachings of the Court of Appeals for the Federal Circuit.

**Written Submissions:** Submissions should be concise and thoroughly referenced to the record in this investigation. The written submissions must be filed no later than close of business on February 14, 2005. Reply submissions must be filed no later than the close of business on February 22, 2005. No further submissions will be permitted unless otherwise ordered by the Commission.

Persons filing written submissions must file with the Office of the Secretary the original document and 14 true copies thereof on or before the deadlines stated above. Any person desiring to submit a document (or portion thereof) to the Commission in confidence must request confidential treatment unless the information has already been granted such treatment during the proceedings. All such requests should be directed to the Secretary of the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See section 201.6 of the Commission's Rules of Practice and Procedure, 19 CFR § 201.6. Documents for which confidential treatment by the Commission is sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in sections 210.42–210.45 and 210.51 of the Commission's Rules of Practice and

Procedure (19 CFR §§ 210.42–210.45 and 210.51).

By order of the Commission.  
 Issued: February 1, 2005.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 05–2261 Filed 2–4–05; 8:45 am]

**BILLING CODE 7020–02–P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Emergency Review; Comment Request

February 1, 2005.

The Department of Labor has submitted the following information collection request (ICR), utilizing emergency review procedures, to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Public Law 104–13, 44 U.S.C. Chapter 35). OMB approval has been requested by March 9, 2005. A copy of this ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor's Departmental Clearance Officer, Ira L. Mills at (202) 693–4122 (this is not a toll-free number); via e-mail at: [mills-ira@dol.gov](mailto:mills-ira@dol.gov); or (202) 693–7755 (TTY). The State Planning Guidance may also be found at the Web site—<http://www.doleta.gov/usworkforce>.

Comments and questions about the ICR listed below should be forwarded to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Employment and Training Administration, Room 10235, Washington, DC 20503.

The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology

(e.g., permitting electronic submissions of responses.)

**Agency:** Employment and Training Administration.

**Type of Review:** Revision of a currently approved collection.

**Title:** Planning Guidance and Instructions for Submission of the Strategic Five Year State Plan for Title I of the Workforce Investment Act of 1998 (WIA) and the Wagner Peyser Act.

**OMB Number:** 1205–0398.

**Frequency:** Every five years.

**Type of Response:** Reporting.

**Affected Public:** State, Local, or Tribal Government.

**Total Respondents:** 59.

**Number of Responses:** 59.

**Total Burden:** 1,475.

**Total Annualized Capital/Startup Cost:** \$ 0.

**Total Annual Costs (Operating/Maintaining Systems or Purchasing Services):** \$ 0.

**Description:** All current WIA State Plans will expire June 30, 2005. It is unlikely that Congress will pass a reauthorized Workforce Investment Act (WIA) before that time. Therefore, the enclosed Proposed WIA Planning Guidance is designed to advise States about how to continue their WIA Title I and Wagner Peyser Act programs under Public Law 105–220.

**Ira L. Mills,**

*Departmental Clearance Officer.*

[FR Doc. 05–2441 Filed 2–4–05; 8:45 am]

**BILLING CODE 4510–30–P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA–W–55,518]

#### BASF Corporation, Freeport, TX; Notice of Revised Determination on Reconsideration

On January 12, 2005, the Department of Labor issued a Notice of Affirmative Determination Regarding Application for Reconsideration applicable to the subject firm. The Notice will soon be published in the **Federal Register**.

The initial investigation found that workers are separately identifiable by product line (polycaprolactum, oxo, diols, and acrylic monomers), that polycaprolactum, oxo and diol production increased during the relevant period, and that the subject company neither increased imports of acrylic monomers during the relevant period nor shifted acrylic monomer production abroad.

The petitioner asserted in the request for reconsideration that the worker

separations at the subject firm were the result of a shift of production of acrylic monomers to China.

During the reconsideration investigation, it was found that workers are not separately identifiable by product line and that acrylic monomer production declined during the relevant period.

New information provided by the subject company revealed that company imports of acrylic monomer increased after the company shifted acrylic monomer production to China in 2004.

The investigation also revealed that all criteria have been met in regard to alternative trade adjustment assistance. A significant number or proportion of the worker group are age fifty years or over and workers possess skills that are not easily transferable. Competitive conditions within the industry are adverse.

### Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that a shift of production to China followed by increased imports of acrylic monomers contributed importantly to worker separations at the subject firm.

In accordance with the provisions of the Act, I make the following certification:

All workers of BASF Corporation, Freeport, Texas, who became totally or partially separated from employment on or after August 30, 2003, through two years from the date of this certification, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed in Washington, DC this 21st day of January 2005.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5-459 Filed 2-4-05; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-55,594]

#### **Bosch-Rexroth Corporation, Mobile Hydraulics Division, Wooster, OH; Dismissal of Application for Reconsideration**

Pursuant to 29 CFR 90.18(C) an application for administrative reconsideration was filed with the Director of the Division of Trade

Adjustment Assistance for workers at Bosch-Rexroth Corporation, Mobile Hydraulics Division, Wooster, Ohio. The application contained no new substantial information which would bear importantly on the Department's determination. Therefore, dismissal of the application was issued.

TA-W-55,594; Bosch-Rexroth Corporation, Mobile Hydraulics Division, Wooster, Ohio (January 25, 2005).

Signed at Washington, DC this 31st day of January 2005.

**Timothy Sullivan,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. E5-454 Filed 2-4-05; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-55,799]

#### **CDI Professional Services Workers at General Dynamics Land Systems, California Technical Center, Goleta, CA; Notice of Negative Determination on Reconsideration**

On December 30, 2004, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of the subject firm. The Department's Notice was published in the **Federal Register** on January 21, 2005 (70 FR 3226).

The petition for the workers of CDI Professional Services, workers at General Dynamics Land Systems, California Technical Center, Goleta, California was terminated because the petitioning workers were covered by an earlier denial (TA-W-55,658) and no new information or change in circumstances was evident to warrant a reversal of the previous determination.

The petitioner contends that the Department erred in its determination and alleges that the workers support Saudi Arabia National Guard (SANG) turret production which shifted from Goleta, California to London, Canada.

A company official was contacted for clarification in regard to the nature of the work performed by the subject worker group. The official stated that the subject workers were engaged in the engineering, designing and repair of SANG turrets. SANG turrets are produced in Australia and then sent to Canada to be attached to the appropriate vehicle. The official further clarified that work related to the SANG turrets

shifted from Goleta, California to Woodbridge, Virginia in 2004.

### Conclusion

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of CDI Professional Services working at General Dynamics Land Systems, California Technical Center, Goleta, California.

Signed at Washington, DC this 28th day of January 2005.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5-456 Filed 2-4-05; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-55,767]

#### **Lenox, Inc., Oxford, NC; Notice of Revised Determination on Reconsideration**

By letter dated December 9, 2004, a company official requested administrative reconsideration regarding the Department's Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance applicable to the workers of the subject firm.

The initial investigation resulted in a negative determination issued on November 9, 2004, based on the finding that petitioning workers did not produce an article within the relevant time period. The denial notice was published in the **Federal Register** on December 9, 2004 (69 FR 71428).

To support the request for reconsideration, the company official supplied additional information. Upon further review, it was revealed that the petitioning workers were members of the workforce that was certified eligible for TAA benefits, whose certification expired on October 11, 2004. The investigation revealed that petitioning workers remained employed at the subject facility after the stoppage of the production and beyond the date of the TAA certification for the purpose of completion of the transfer of the inventory and removal of the remaining equipment from the subject facility.

### Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that increased imports of