

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 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 an initial determination and 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 31, 2006.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E6-14711 Filed 9-5-06; 8:45 am]

BILLING CODE 7020-02-P

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-582]

### In the Matter of Certain Hydraulic Excavators and Components Thereof; 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 August 1, 2006, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Caterpillar, Inc. of Peoria, Illinois. A letter supplementing the complaint was filed on August 23, 2006. The 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 hydraulic excavators and components thereof by reason of infringement of U.S. Trademark Registration No. 2,140,606, U.S. Trademark Registration No. 2,421,077, U.S. Trademark Registration No. 2,140,605, and U.S. Trademark

Registration No. 2,448,848. The complaint further alleges that an industry in the United States exists 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 a permanent cease and desist order.

**ADDRESSES:** The 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 (EDIS) at <http://www.edis.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Rett Snotherly, Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2599.

**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 (2006).

**Scope of Investigation:** Having considered the complaint, the U.S. International Trade Commission, on August 29, 2006, *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)(C) 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 hydraulic excavators or components thereof by reason of infringement of U.S. Trademark Registration No. 2,140,606, U.S. Trademark Registration No. 2,421,077, U.S. Trademark Registration No. 2,140,605, or U.S. Trademark Registration No. 2,448,848, 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—  
Caterpillar, Inc., 100 N.E. Adams Street, Peoria, Illinois 61629-7310.
- (b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:  
Alex Lyon & Son Sales Managers and Auctioneers, Inc., 5100 Highbridge Road, Fayetteville, NY 13066.  
Barkley Industries, LLC, 13309 West Palo Verde Dr., PO Box 579, Litchfield Park, AZ 85340.  
Deanco Auction Company of Mississippi, Inc., 1042 Holland Avenue, PO Box 1248, Philadelphia, MS 39350.  
Dom-Ex, Inc., 109 Grant Street, Hibbing, MN 55746.  
Frontera Equipment Sales, 2300 East Expressway 83 N, Donna, TX 78537.  
Hoss Equipment Co., Inc., 3131 N. Hwy. 161, Irving, TX 78537.  
Key Equipment, LLC (subsidiary of) C.W. Purpero, Inc. 5770 South 13th St., Milwaukee, WI 53221.  
Kuhn Equipment Sales Co., Inc., 1050 Drop Off Drive, Summerville, SC 29483.  
MMS Equipment Sales L.L.C., 31 North Madison Drive, Three Way, TN 38343.  
Musselman Construction Co., dba, Musselman Rentals and Sales, 16915 Hatwai Bypass, Lewistown, Idaho 83501.  
Pacific Rim Machinery, Inc., 3023 17th Avenue Ct., NW., Gig Harbor, WA 98335.  
Petrowsky Auctioneers, Inc., 275 Route 32, North Franklin, CT 06254.  
Prima International Trading, 7000 Highbridge Road, Fayetteville, NY 13066.  
Ritchie Bros. Auctioneers Inc., 6500 River Road, Richmond, BC V6X 4G5, Vancouver, British Columbia, Canada.  
Ritchie Bros. Auctioneers (America) Inc., 3901 Faulkner Drive, P.O. Box 6429, Lincoln, NE 68506-0429.  
Southwestern Machinery of Florida, Inc., 645 SW Palmetto Cove, P.O. Box 880037, Port St. Lucie, FL 34986.  
Tractorland Equipment Company, Inc., 21921 Alessandro Blvd., Moreno Valley, CA 92553.  
United Equipment Company, Inc., 600 W. Glenwood, Turlock, CA 95380-6232.  
World Tractor & Equipment Company, LLC, 10600 Nations Ford Road, Charlotte, NC 28273.  
Worldwide Machinery, Inc., 16031 I-10 East Freeway, Houston, TX 77530.

Yoder & Frey Auctioneers, 1670  
Commerce Rd., Holland, OH 43528.

(c) The Commission investigative attorney, party to this investigation, is Rett Snotherly, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436; and

(3) For the investigation so instituted, the Honorable Robert L. Barton, Jr. is designated as the presiding administrative law judge.

Responses 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 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 an initial determination and 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.

By order of the Commission.

Issued: August 31, 2006.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E6-14714 Filed 9-5-06; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-580]

### In the Matter of Certain Peripheral Devices and Components Thereof and Products Containing the Same; 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 August 1, 2006, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Microsoft Corporation of Redmond, Washington. The 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 peripheral devices and components thereof and products containing the same by reason of infringement of U.S. Patent No. 6,460,094 and U.S. Patent No. 6,795,949. The complaint further alleges that an industry in the United States exists 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 a permanent cease and desist order.

**ADDRESSES:** The 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 (EDIS) at <http://www.edis.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** T. Spence Chubb, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2575.

**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 (2006).

**Scope of Investigation:** Having considered the complaint, the U.S. International Trade Commission, on August 29, 2006, *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 peripheral devices or components thereof or products containing the same by reason of infringement of one or more of claims 1, 2, 27, 33, 34, and 59 of U.S. Patent No. 6,460,094 and claims 1 and 3 of U.S. Patent No. 6,795,949, 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—Microsoft Corporation, 1 Microsoft Way, Redmond, Washington 98052.

(b) The respondent is the following entity alleged to be in violation of section 337, and is the party upon which the complaint is to be served: Belkin Corporation, 501 W. Walnut Street, Compton, California 90220.

(c) The Commission investigative attorney, party to this investigation, is T. Spence Chubb, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436; and

(3) For the investigation so instituted, the Honorable Paul J. Luckern is designated as the presiding administrative law judge.

Responses to the complaint and the notice of investigation must be 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 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 responses 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 an initial determination and a final determination containing such findings, and may result in the issuance of a limited exclusion order or