

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-610]

In the Matter of Certain Endodontic Instruments; Notice of Commission Determination Not To Review Initial Determination Granting Complainant's Motion To Terminate the Investigation Based on Withdrawal of the Complaint

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 the initial determination ("ID") (Order No. 12) of the presiding administrative law judge ("ALJ") granting complainant's motion to terminate the investigation based on withdrawal of the complaint in the above-captioned investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("section 337").

FOR FURTHER INFORMATION CONTACT: James A. Worth, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-3065. Copies of non-confidential 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. 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 this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: On July 6, 2007, the Commission instituted the above-captioned investigation based upon a complaint filed June 5, 2007, and supplemented June 22, 2007, on behalf of Dentsply International Inc. (York, Pennsylvania) ("Dentsply"). 72 FR 37051 (July 6, 2007). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain endodontic instruments by reason of infringement

of claims 1, 2, 3, and 5 of U.S. Patent Nos. 5,628,674 and claim 2 of U.S. Patent No. 6,206,695. The complaint named as respondents Guidance Endodontics, LLC (Albuquerque, New Mexico) ("Guidance") and Micro Mega International Manufactures (Besancon cedex, France) ("Micro Mega").

On January 25, 2008, Dentsply filed a motion to terminate the investigation based on withdrawal of the complaint. The motion stated that Micro Mega does not oppose the motion. On February 4, 2008, Guidance stated that it did not oppose the motion. On February 6, 2008, the Commission investigative attorney filed a response in support of the motion.

On February 6, 2008, the ALJ issued the subject ID (Order No. 12) granting complainant's motion to terminate the investigation based on withdrawal of the complaint, pursuant to Commission Rule 210.21(a)(1). No petitions for review of the ID were filed. The Commission has determined not to review the subject 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 sections 210.41(a) and 210.42(h)(3), of the Commission's Rules of Practice and Procedure (19 CFR 210.41(a), 210.42(h)(3)).

By order of the Commission.

Issued: February 25, 2008.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. E8-3976 Filed 2-29-08; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-448 and 731-TA-1117 (Final)]

Certain Off-The-Road Tires From China

AGENCY: United States International Trade Commission.

ACTION: Scheduling of the final phase of countervailing duty and antidumping investigations.

SUMMARY: The Commission hereby gives notice of the scheduling of the final phase of countervailing duty investigation No. 701-TA-448 (Final) under section 705(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)) (the Act) and the final phase of antidumping investigation No. 731-TA-1117 (Final) under section 735(b) of the Act (19 U.S.C. 1673d(b)) to determine whether an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is

materially retarded, by reason of subsidized and less-than-fair-value imports from China of certain off-the-road tires, provided for in subheading 4011.20.10, 4011.20.50, 4011.61.00, 4011.62.00, 4011.63.00, 4011.69.00, 4011.92.00, 4011.93.40, 4011.93.80, 4011.94.40, and 4011.94.80 of the Harmonized Tariff Schedule of the United States.¹

For further information concerning the conduct of this phase of the investigations, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

EFFECTIVE DATE: February 20, 2008.

FOR FURTHER INFORMATION CONTACT: Elizabeth Haines (202-205-3200), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter 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 (<http://www.usitc.gov>). The public record for these investigations may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background.—The final phase of these investigations is being scheduled as a result of affirmative preliminary determinations by the Department of Commerce that certain benefits which constitute subsidies within the meaning of section 703 of the Act (19 U.S.C. 1671b) are being provided to manufacturers, producers, or exporters in China of certain off-the-road tires, and that such products are being sold in the United States at less than fair value within the meaning of section 733 of the

¹ For purposes of these investigations, the Department of Commerce has defined the subject merchandise as new pneumatic tires designed for off-the-road ("OTR") and off-highway use, subject to exceptions identified in Commerce's Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination (73 FR 9278, February 20, 2008). Certain OTR tires are generally designed, manufactured and offered for sale for use on off-road or off-highway surfaces, including but not limited to, agricultural fields, forests, construction sites, factory and warehouse interiors, airport tarmacs, ports and harbors, mines, quarries, gravel yards, and steel mills. The vehicles and equipment for which certain OTR tires are designed are used in hauling, towing, lifting, and/or loading a wide variety of equipment and materials in agricultural, construction and industrial settings.