

**INTERNATIONAL TRADE COMMISSION**

[Investigation No. 337-TA-609]

**In the Matter of Certain Buffer Systems and Components Thereof Used in Container Processing Lines; Notice of a Commission Determination Not To Review an Initial Determination Terminating Two Respondents From the Investigation on the Basis of a Settlement Agreement and License Agreement; Termination of Investigation****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”) (Order No. 26) of the presiding administrative law judge (“ALJ”) in the above-captioned investigation terminating two respondents on the basis of a settlement agreement and license agreement and terminating the investigation.

**FOR FURTHER INFORMATION CONTACT:** Michael K. Haldenstein, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-3041. 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 at <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:** The Commission instituted this investigation on July 5, 2007, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based on a complaint filed by Sidel Participations of France, Sidel Canada Inc. of Canada, and Sidel Inc. of Norcross, Georgia. Complainants supplemented their complaint on June 18, 2007. The respondents named in the complaint are Krones AG and KHS AG of Germany; Krones Inc., of Franklin, Wisconsin; and KHS USA, Inc. of

Waukesha, Wisconsin. The complaint, as supplemented, alleged 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 buffer systems and components thereof used in container processing lines by reason of infringement of U.S. Patent No. 6,168,005. The complaint further alleged that a domestic industry exists in the United States as required by subsection (a)(2) of section 337. The complainants request that the Commission issue a general exclusion order and cease and desist orders.

On May 28, 2008, complainants and the two remaining respondents, KHS AG and KHS USA, Inc. (collectively “KHS”), filed a joint motion pursuant to Commission rule 210.21 for termination of the investigation based upon a settlement agreement and license agreement. The Commission investigative attorney filed a response in support of the motion.

On June 11, 2008, the ALJ issued the subject ID, granting the joint motion and terminating the investigation with respect to KHS on the basis of the settlement agreement and license agreement. No petitions for review were filed and the Commission has determined not to review the subject ID. The investigation is terminated.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and Commission rules 210.21, 210.42, 19 CFR 210.21, 210.42.

Issued: July 3, 2008.

By order of the Commission.

**Marilyn R. Abbott,***Secretary to the Commission.*

[FR Doc. E8-15634 Filed 7-9-08; 8:45 am]

**BILLING CODE 7020-02-P****INTERNATIONAL TRADE COMMISSION**

[Investigation No. 337-TA-618]

**In the Matter of: Certain Computer Systems, Printers and Scanners; Notice of Commission Determination Not To Review an Initial Determination Terminating the Investigation 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 the presiding administrative law judge’s (“ALJ”) initial determination

(“ID”) (Order No. 13) granting a joint motion to terminate the captioned investigation based on a settlement agreement.

**FOR FURTHER INFORMATION CONTACT:** Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-2301. 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 at <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 December 3, 2007, the Commission instituted an investigation under section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, based on a complaint filed by Acer Incorporated (“Acer”) of Taipei, Taiwan, as supplemented, alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain computer systems, printers and scanners by reason of infringement of certain claims of U.S. Patent Nos. 5,214,761 and 5,581,122. 72 FR 67960 (December 3, 2007). The complainant named Hewlett-Packard Company (“HP”) of Palo Alto, California, as respondent.

On June 6, 2008, Acer and HP jointly moved to terminate the investigation on the basis of a settlement agreement. On June 16, 2008, the Commission investigative attorney filed a response supporting the motion.

On June 17, 2008, the ALJ issued the subject ID granting the joint motion to terminate the investigation based on the settlement agreement. The ALJ found that the motion complied with the requirements of Commission Rule 210.21(b) by including copies of the settlement agreement and a statement that there are no other agreements, written or oral, express or implied, between the parties concerning the subject matter of the investigation. The ALJ concluded, pursuant to Commission Rule 210.50(b)(2), that there is no evidence that termination of this

investigation will prejudice the public interest. No petitions for review of this ID were filed.

The Commission has determined not to review the ID.

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 section 210.42 of the Commission's Rules of Practice and Procedure (19 CFR 210.42).

By order of the Commission.

Issued: July 7, 2008.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E8-15721 Filed 7-10-08; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. AGOA-002]

### Denim Fabric: Use in AGOA Countries During Fiscal Year 2007

**AGENCY:** United States International Trade Commission.

**ACTION:** Notice of determination.

*Determination:* Based on the information developed in the subject investigation, the United States International Trade Commission determines, pursuant to section 112(c)(2)(B)(iii) of the African Growth and Opportunity Act (AGOA),<sup>1</sup> that the quantity of denim fabric<sup>2</sup> produced in beneficiary sub-Saharan African (SSA) countries for use by lesser-developed beneficiary (LDB) SSA countries that was used in the production of apparel articles receiving U.S. preferential treatment during the period October 1, 2006–September 30, 2007 (fiscal year 2007) was 21,120,000 square meter equivalents (SMEs).

*Background:* Section 112(c)(2)(B)(iii) of AGOA requires the Commission to determine, after the end of each year for which an availability determination is in effect, the extent to which the fabric or yarn determined to be available in commercial quantities for use in LDB SSA countries was used in the production of apparel articles receiving preferential treatment. To the extent that the quantity so determined was not so used, section 112(c)(2)(B)(iii) requires the Commission to add to the quantity of that fabric or yarn determined to be available in the next applicable 1-year

period the quantity not so used in the preceding applicable 1-year period. Congress, in section 112(c)(2)(C) of AGOA, deemed the subject denim fabric to be available in commercial quantities for use in LDB SSA countries in the amount of 30 million SMEs during fiscal year 2007, as if the Commission had made such a determination.

Having determined that the quantity of subject denim fabric used in the production of apparel articles receiving preferential treatment during fiscal year 2007 (21,120,000 SMEs) was less than the 30 million SMEs deemed to be available by statute for that year, the Commission has added the shortfall of 8,880,000 SMEs to the quantity of subject denim fabric that it previously determined will be so available during fiscal year 2008 (21,303,613 SMEs).<sup>3</sup> The adjusted quantity of subject denim fabric that will be so available during fiscal year 2008 is 30,183,613 SMEs.

Notice of the institution of the Commission's investigation and of the scheduling of a public hearing in connection therewith was given by posting a copy of the notice on the Commission's Web site (<http://www.usitc.gov>) and by publishing the notice in the **Federal Register** of December 3, 2007 (72 FR 67961). The hearing was held on April 9, 2008, in Washington, DC; all persons who requested the opportunity were permitted to appear in person or by counsel.

The views of the Commission are contained in USITC Publication No. 4021 entitled *Denim Fabric: Use in AGOA Countries During Fiscal Year 2007*.

By order of the Commission.

Issued: July 7, 2008.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E8-15718 Filed 7-10-08; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-606]

### In the Matter of: Certain Personal Computers and Digital Display Devices; Notice of Commission Determination Not To Review an Initial Determination Terminating the Investigation 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 the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 31) granting the joint motion to terminate the captioned investigation based on a settlement agreement.

#### FOR FURTHER INFORMATION CONTACT:

Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E. Street, SW., Washington, DC 20436, telephone (202) 708-2301. 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 at <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:** The Commission instituted this investigation on May 21, 2007, based on a complaint filed by Hewlett-Packard Company ("HP") of Palo Alto, California. 72 FR 28520-1. The complaint, as amended and supplemented, alleges 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 personal computers and digital display devices by reason of infringement of certain claims of U.S. Patent Nos. 6,691,236; 6,029,119; 5,353,415; and 6,894,706. The complaint further alleges the existence

<sup>1</sup> 19 U.S.C. 3721(c)(2)(B)(iii).

<sup>2</sup> Denim articles provided for in subheading 5209.42.00 of the Harmonized Tariff Schedule. See section 112(c)(2)(C) of AGOA, 19 U.S.C. 3721(c)(2)(C).

<sup>3</sup> See the Commission's determination in investigation No. AGOA-001, *Commercial Availability of Fabric & Yarn in AGOA Countries: Certain Denim*, Publication 3950 (Sept. 2007) at 1; 72 FR 56382 (Oct. 3, 2007).