

and the sale within the United States after importation of certain active comfort footwear that infringes certain claims of U.S. Patent No. 6,341,432. Complainants named as respondents RYN Korea Co., Ltd. of Seoul, Korea (RYN); Main d/b/a *WalkingShoesPlus.com* of Los Angeles, California (“WalkingShoesPlus”); and Feet First Inc. of Boca Raton, Florida (“Feet First”). The Tannery of Cambridge, Massachusetts and A Better Way to Health of West Melbourne, Florida were subsequently added as respondents in the investigation by an unreviewed ID. 74 FR 11378 (Mar. 17, 2009).

On May 21, 2009, the Commission determined not to review an ID (Order No. 6) finding *WalkingShoesPlus* and Feet First in default for failure to respond to the complaint and notice of investigation.

On July 13, 2009, the ALJ issued the subject ID (Order 12), terminating the investigation based on a settlement agreement as to RYN and withdrawal of the complaint as to the remaining respondents. No party petitioned for review of the subject ID.

The Commission has determined not to review the ID.

Section 337(g)(1), 19 U.S.C. 1337(g)(1) and Commission Rule 210.16(c), 19 U.S.C. 210.16(c) authorize the Commission to order relief against respondents found in default unless, after consideration of the public interest, it finds that such relief should not issue. Complainants did not file a declaration stating that they were seeking a general exclusion order as provided in Commission Rule 210.16(c).

In conjunction with the final disposition of this investigation, therefore, the Commission may: (1) Issue an order that could result in the exclusion of articles manufactured or imported by the defaulting respondents; and/or (2) issue a cease and desist order that could result in the defaulting respondents being required to cease and desist from engaging in unfair acts in the importation and sale of such articles. Accordingly, the Commission is interested in receiving written submissions that address the remedy, if any, that should be ordered. If a party seeks exclusion of an article from entry into the United States for purposes other than for consumption, they should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or likely to do so. For background, see *In the Matter of Certain Devices for Connecting Computers via Telephone Lines*, Inv. No. 337-TA-360,

USITC Pub. 2843 (Dec. 1994) (Comm’n Op.).

If the Commission contemplates some form of remedy, it must consider the effects of that remedy upon the public interest. The factors the Commission will consider include the effect that an exclusion order and/or cease and desist orders would have on (1) The public health and welfare, (2) competitive conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are subject to investigation, and (4) U.S. consumers. The Commission is therefore interested in receiving written submissions that address the aforementioned public interest factors in the context of this investigation.

If the Commission orders some form of remedy, the U.S. Trade Representative, as delegated by the President, has 60 days to approve or disapprove the Commission’s action. See Presidential Memorandum of July 21, 2005. 70 FR 43251 (July 26, 2005). During this period, the subject articles would be entitled to enter the United States under bond, in an amount determined by the Commission and prescribed by the Secretary of the Treasury. The Commission is therefore interested in receiving submissions concerning the amount of the bond that should be imposed if a remedy is ordered.

Written Submissions: Parties to the investigation, interested government agencies, and any other interested parties are encouraged to file written submissions on the issues of the public interest, and bonding. Complainants and the Commission investigative attorney are also requested to submit proposed remedial orders for the Commission’s consideration. Complainants are also requested to state the HTSUS numbers under which the accused products are imported and the date on which the patent at issue expires. Main written submissions must be filed no later than close of business on August 24, 2009. Reply submissions must be filed no later than the close of business on August 31, 2009. No further submissions on any of these issues will be permitted unless otherwise ordered by the Commission.

Persons filing written submissions must file the original document and 12 true copies thereof on or before the deadlines stated above with the Office of the Secretary. Any person desiring to submit a document 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 19 CFR 210.6. 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 section 210.16 and 210.42–46 of the Commission’s Rules of Practice and Procedure (19 CFR 210.16; 210.42–46).

By order of the Commission.

Issued: August 5, 2009.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. E9–19413 Filed 8–12–09; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-649]

Notice of Commission Determination Not To Review an Initial Determination Granting Complainant’s Motion To Terminate the Investigation; Termination of Investigation; In the Matter of Certain Semiconductor Chips With Minimized Chip Package Size and Products Containing Same (IV)

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. 25) of the presiding administrative law judge (“ALJ”) granting complainant Tessler, Inc.’s motion to terminate the investigation.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202–205–3152. Copies of the ID and all other nonconfidential 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. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on 202–205–1810. 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>.

SUPPLEMENTARY INFORMATION: On May 28, 2008, 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 Tesser, Inc. of San Jose, California ("Tesser"), alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain semiconductor chips with minimized chip package size and products containing same that infringe certain claims of U.S. Patents Nos. 5,852,326; 6,433,419; and 5,679,977. 73 FR 30628 (May 28, 2008). The complaint named numerous entities as respondents. Subsequently, the complaint and Notice of Investigation were amended to add U.S. Patent No. 5,663,106, and the target date for completion of this investigation was extended.

On March 12, 2009, complainant Tesser moved to terminate the investigation based on withdrawal of the complaint. On July 17, 2009, the ALJ issued Order No. 25 granting the motion. No petitions for review 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(h) of the Commission's Rules of Practice and Procedure (19 CFR 210.42(h)).

By order of the Commission.

Issued: August 7, 2009.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. E9-19411 Filed 8-12-09; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

Investigation No. AA1921-167 (Third Review); Pressure Sensitive Plastic Tape From Italy

AGENCY: International Trade Commission.

ACTION: Notice of Commission determination to conduct a full five-year review concerning the antidumping finding on pressure sensitive plastic tape from Italy.

SUMMARY: The Commission hereby gives notice that it will proceed with a full review pursuant to section 751(c)(5) of

the Tariff Act of 1930 (19 U.S.C. 1675(c)(5)) to determine whether revocation of the antidumping duty finding on pressure sensitive plastic tape from Italy would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. A schedule for the review will be established and announced at a later date. For further information concerning the conduct of this review 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, D, E, and F (19 CFR part 207).

DATES: *Effective Date:* August 4, 2009.

FOR FURTHER INFORMATION CONTACT:

Edward Petronzio (202-205-3176), 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 this review may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION: On August 4, 2009, the Commission determined that it should proceed to a full review in the subject five-year review pursuant to section 751(c)(5) of the Act. The Commission found that the domestic interested party group response to its notice of institution (74 FR 20340, May 1, 2009) was adequate but that the respondent interested group response was inadequate. The Commission also found that other circumstances warranted conducting a full review.¹ A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's Web site.

Authority: This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

By order of the Commission.

¹ Commissioners Irving A. Williamson and Dean A. Pinkert dissenting.

Issued: August 7, 2009.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. E9-19410 Filed 8-12-09; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 332-345]

Shifts in U.S. Merchandise Trade 2008

AGENCY: United States International Trade Commission.

ACTION: Availability on Commission's Web site of 2009 report on shifts in merchandise trade during 2008; opportunity to submit written comments relating to the 2009 report and possible content of the 2010 report.

SUMMARY: The 2009 report can now be accessed and downloaded from the Commission's Web site at http://www.usitc.gov/research_and_analysis/trade_shifts.htm. The format used by the Commission since 2004 includes links to Commission research and other resources including data, as well as links to other organizations with related information. User feedback on the revised format is encouraged by providing access to the ITC online Reader Satisfaction Survey (http://reportweb.usitc.gov/reader_survey/readersurvey.html). A CD-ROM version of the 2008 report may be requested by contacting the Office of the Secretary at 202-205-2000 or by fax at 202-205-2104. Readers of the report may also provide comments by downloading the survey form and business reply mailer for this publication from the Commission's Web site.

ADDRESSES: All Commission offices, including the Commission's hearing rooms, are located in the United States International Trade Commission Building, 500 E Street, SW., Washington, DC 20436. All written submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street, SW., Washington, DC 20436. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://www.usitc.gov/secretary/edis.htm>.

FOR FURTHER INFORMATION CONTACT:

Project leader, Jeremy Wise, Office of Industries (202-205-3190 or jeremy.wise@usitc.gov) or deputy project leader Brendan Lynch (202-205-3313 or brendan.lynch@usitc.gov). For information on the legal aspects, please contact William Gearhart, Office of General Counsel (202-205-3091 or