infringe claim 9. Id. With respect to the ‘704 patent, the Commission determined not to review the ALJ’s conclusion that the asserted claims of the ‘704 patent are invalid for indefiniteness. Id. The Commission further determined to review and vacate as moot the ID’s remaining findings with respect to the ‘704 patent. The Commission determined not to review the remainder of the ID. Id.


On review, having examined the final ID, the submissions of the parties, and the relevant portions of the record in this investigation, the Commission has determined to affirm the ID with respect to the issues on review. With respect to the ‘866 patent, the Commission has determined to affirm the ALJ’s determination that Kaneka has failed to satisfy the technical prong of the domestic industry requirement on modified grounds. With respect to the ‘961 patent, the Commission has determined to affirm the ALJ’s finding that the IN70 (50µm) product infringes claim 9 and the other accused products do not. 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 under Part 210 of the Commission’s Rules of Practice and Procedure (19 CFR Part 210).


Lisa R. Barton, Acting Secretary to the Commission.

DEPARTMENT OF LABOR

Employment and Training Administration

Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers by (TA–W) number issued during the period of September 24, 2012 through September 28, 2012. In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 223(a) of the Act must be met.

I. Under Section 223(a)(2)(A), the following must be satisfied:

1. A significant number or proportion of the workers in such workers’ firm have become totally or partially separated; or are threatened to become totally or partially separated; and
2. The sales or production, or both, of such firm have decreased absolutely; and
3. One of the following must be satisfied:
   A. Imports of articles like or directly competitive with articles produced or services supplied by such firm have increased; or
   B. Imports of articles like or directly competitive with articles into which one or more component parts produced by such firm are directly incorporated have increased; and
   C. Imports of articles directly incorporating one or more component parts produced outside the United