unserved respondents (Capnil, Dahong, Huang, PLC–VIP, and Sparker) were
terminated from the investigation, and one respondent (Radwell) was
terminated based on the entry of a consent order.

On October 23, 2018, the
Administrative Law Judge (“ALJ”) issued a final initial determination
(“FID”) finding a violation of section 337 by the Defaulted Respondents and
recommending that the Commission: (1) Issue a general exclusion order (“GEO”); and (2) issue a cease and desist order
(“CDO”) against Defaulted Respondent Fractioni. The ALJ determined that the
Defaulted Respondents infringed Complainant’s asserted trademarks, but
that Complainant failed to establish its two other claims, namely, the
infringement of Complainant’s asserted copyrights and tortious interference
with Complainant’s contracts.

On December 20, 2018, the
Commission issued a notice
determining not to review the FID. See
April 8, 2019, the Commission issued a notice determining that the appropriate remedy is a GEO prohibiting the
unlicensed entry of certain industrial
automation systems and components
thereof including control systems,
controllers, visualization hardware,
motion and motor control systems,
networking equipment, safety devices,
and power supplies that infringe
Complainant’s asserted trademarks, and
a CDO directed to defaulted respondent Fractioni. See
84 FR 14971–72 (Apr. 12, 2019). The GEO, however, inadvertently
omits a provision requiring
Complainant to file a yearly written
statement with the Commission
attesting that Complainant continues to
use the asserted trademarks in
commerce in the United States, that the
asserted trademarks have not been
abandoned, cancelled, or rendered
invalid or unenforceable, and that
Complainant continues to satisfy the
domestic industry requirement.

The Commission has determined to
issue a corrected GEO including the
reporting requirement.

The Commission’s vote on this
determination took place on October 27,
2020.

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 part
210 of the Commission’s Rules of
Practice and Procedure (19 CFR part
210).

While temporary remote operating
procedures are in place in response to
COVID–19, the Office of the Secretary is
not able to serve parties that have not
retained counsel or otherwise provided a
point of contact for electronic service.
Accordingly, pursuant to Commission
Rules 201.16(a) and 210.7(a)(1) (19 CFR
201.16(a), 210.7(a)(1)), the Commission
orders that the Complainant(s) complete service for any party/parties without a
method of electronic service noted on
the attached Certificate of Service and
shall file proof of service on the
Electronic Document Information
System (EDIS).

By order of the Commission.
Lisa Barton,
Secretary to the Commission.

INTERNATIONAL TRADE
COMMISSION

[Investigation Nos. 701–TA–526 and 731–
TA–1262 (Review)]

Melamine From China; Institution of
Five-Year Reviews

AGENCY: United States International
Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives
notice that it has instituted reviews pursuant to the Tariff Act of 1930 (“the
Act”), as amended, to determine whether revocation of the antidumping and
countervailing duty orders on melamine from China would be likely to lead
to continuation or recurrence of material injury. Pursuant to the Act,
interested parties are requested to respond to this notice by submitting the
information specified below to the
Commission.

DATES: Instituted November 2, 2020. To
be assured of consideration, the
deadline for responses is December 2,
2020. Comments on the adequacy of
responses may be filed with the

FOR FURTHER INFORMATION CONTACT:
Mary Messer (202–205–3193), 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

General information concerning the
Commission may also be obtained by
accessing its internet server (https://
www.usitc.gov). The public record for
this proceeding may be viewed on the
Commission’s electronic docket (EDIS)

SUPPLEMENTARY INFORMATION:

Background.—On December 28, 2015,
the Department of Commerce
(“Commerce”) issued antidumping and
countervailing duty orders on imports of melamine from China (80 FR 80751).
The Commission is conducting reviews pursuant to section 751(c) of the Act, as
amended (19 U.S.C. 1675(c)), to
determine whether revocation of the
orders would be likely to lead to
continuation or recurrence of material
injury to the domestic industry within
a reasonably foreseeable time.

Provisions concerning the conduct of
this proceeding may be found in the
Commission’s Rules of Practice and
Procedure at 19 CFR part 201, subparts
A and B, and 19 CFR part 207, subparts
A and F. The Commission will assess
the adequacy of interested party
responses to this notice of institution
to determine whether to conduct full or
expedited reviews. The Commission’s
determinations in any expedited
reviews will be based on the facts
available, which may include information provided in response to this
notice.

Definitions.—The following definitions apply to these reviews:

1. Subject Merchandise is the class or
kind of merchandise that is within the
scope of the five-year reviews, as
defined by Commerce.

2. The Subject Country in these
reviews is China.

3. The Domestic Like Product is the
domestically produced product or
products which are like, or in the
absence of like, most similar in
characteristics and uses with,

Commerce’s scope definition.

4. The Domestic Industry is the U.S.
producers as a whole of the Domestic
Like Product, or those producers whose
collective output of the Domestic Like
Product constitutes a major proportion
of the total domestic production of the
product. In its original
determinations, the Commission defined the
Domestic Industry as all U.S. producers of the melamine products described by
Commerce’s scope.

5. The Order Date is the date that the
antidumping and countervailing duty
orders under review became effective. In
these reviews, the Order Date is
December 28, 2015.

6. An Importer is any person or firm
engaged, either directly or through a
parent company or subsidiary, in importing the Subject Merchandise into the United States from a foreign manufacturer or through its selling agent.

Participation in the proceeding and public service list.—Persons, including industrial users of the Subject Merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the proceeding as parties must file an entry of appearance with the Secretary to the Commission, as provided in §201.11(b)(4) of the Commission’s rules, no later than 21 days after publication of this notice in the Federal Register. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the proceeding.

Former Commission employees who are seeking to appear in Commission five-year reviews are advised that they may appear in a review even if they participated personally and substantially in the corresponding underlying original investigation or an earlier review of the same underlying investigation. The Commission’s designated agency ethics official has advised that a five-year review is not the same particular matter as the underlying original investigation, and a five-year review is not the same particular matter as an earlier review of the same underlying investigation for purposes of 18 U.S.C. 207, the post-employment statute for Federal employees, and Commission rule 201.15(b) (19 CFR 201.15(b)), 79 FR 3246 (Jan. 17, 2014), 73 FR 24609 (May 5, 2008). Consequently, former employees are not required to seek Commission approval to appear in a review under Commission rule 19 CFR 201.15, even if the corresponding underlying original investigation or an earlier review of the same underlying investigation was pending when they were Commission employees. For further ethics advice on this matter, contact Charles Smith, Office of the General Counsel, at 202–205–3408.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and APO service list.—Pursuant to §207.7(a) of the Commission’s rules, the Secretary will make BPI submitted in this proceeding available to authorized applicants under the APO issued in the proceeding, provided that the application is made no later than 21 days after publication of this notice in the Federal Register. Authorized applicants must represent interested parties, as defined in 19 U.S.C. 1677(9), who are parties to the proceeding. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Certification.—Pursuant to §207.3 of the Commission’s rules, any person submitting information to the Commission in connection with this proceeding must certify that the information is accurate and complete to the best of the submitter’s knowledge. In making the certification, the submitter will acknowledge that information submitted in response to this request for information and throughout this proceeding or other proceeding may be disclosed to and used: (i) By the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel, solely for cybersecurity purposes. All contract personnel will sign appropriate nondisclosure agreements.

Written submissions.—Pursuant to §207.61 of the Commission’s rules, each interested party responsive to this notice must provide the information specified below. The deadline for filing such responses is December 2, 2020. Pursuant to §207.62(b) of the Commission’s rules, eligible parties (as specified in Commission rule 207.62(b)(1)) may also file comments concerning the adequacy of responses to the notice of institution and whether the Commission should conduct expedited or full reviews. The deadline for filing such comments is January 14, 2021. All written submissions must conform with the provisions of §201.8 of the Commission’s rules; any submissions that contain BPI must also conform with the requirements of §§201.6, 207.3, and 207.7 of the Commission’s rules. The Commission’s Handbook on Filing Procedures, available on the Commission’s website at https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf, elaborates upon the Commission’s procedures with respect to filings. Also, in accordance with §§201.16(c) and 207.3 of the Commission’s rules, each document filed by a party to the proceeding must be served on all other parties to the proceeding (as identified by either the public service list (for authorized parties) and a certificate of service must accompany the document (if you are not a party to the proceeding you do not need to serve your response).

Please note the Secretary’s Office will accept only electronic filings at this time. Filings must be made through the Commission’s Electronic Document Information System (EDIS, https://edis.usitc.gov). No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice.

No response to this request for information is required if a currently valid Office of Management and Budget (“OMB”) number is not displayed; the OMB number is 3117 0016/USITC No. 20–5–475, expiration date June 30, 2023. Public reporting burden for the request is estimated to average 15 hours per response. Please send comments regarding the accuracy of this burden estimate to the Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436.

Inability to provide requested information.—Pursuant to §207.61(c) of the Commission’s rules, any interested party that cannot furnish the information requested by this notice in the requested form and manner shall notify the Commission at the earliest possible time, provide a full explanation of why it cannot provide the requested information, and indicate alternative forms in which it can provide equivalent information. If an interested party does not provide this notification (or the Commission finds the explanation provided in the notification inadequate) and fails to provide a complete response to this notice, the Commission may take an adverse inference against the party pursuant to §776(b) of the Act (19 U.S.C. 1677e(b)) in making its determinations in the reviews.

Information to be Provided in Response to this Notice of Institution: As used below, the term “firm” includes any related firms.

(1) The name and address of your firm or entity (including World Wide Web address) and name, telephone number, fax number, and Email address of the certifying official.

(2) A statement indicating whether your firm/entity is an interested party under 19 U.S.C. 1677(9) and if so, how, including whether your firm/entity is a U.S. producer of the Domestic Like Product, a U.S. union or worker group, a U.S. importer of the Subject Merchandise, a foreign producer or exporter of the Subject Merchandise, a U.S. or foreign trade or business association (a majority of whose members are interested parties under the statute), or another interested party.
(including an explanation). If you are a union/worker group or trade/business association, identify the firms in which your workers are employed or which are members of your association.

(3) A statement indicating whether your firm/entity is willing to participate in this proceeding by providing information requested by the Commission.

(4) A statement of the likely effects of the revocation of the antidumping and countervailing duty orders on the Domestic Industry in general and/or your firm/entity specifically. In your response, please discuss the various factors specified in §752(a) of the Act (19 U.S.C. 1675a(a)) including the likely volume of subject imports, likely price effects of subject imports, and likely impact of imports of Subject Merchandise on the Domestic Industry.

(5) A list of all known and currently operating U.S. producers of the Domestic Like Product. Identify any known related parties and the nature of the relationship as defined in §771(4)(B) of the Act (19 U.S.C. 1677(4)(B)).

(6) A list of all known and currently operating U.S. importers of the Subject Merchandise and producers of the Subject Merchandise in the Subject Country that currently export or have exported Subject Merchandise to the United States or other countries since the Order Date.

(7) A list of 3–5 leading purchasers in the U.S. market for the Domestic Like Product and the Subject Merchandise (including the street address, World Wide Web address, and the name, telephone number, fax number, and Email address of a responsible official at each firm).

(8) A list of known sources of information on national or regional prices for the Domestic Like Product or the Subject Merchandise in the U.S. or other markets.

(9) If you are a U.S. producer of the Domestic Like Product, provide the following information on your firm’s operations on that product during calendar year 2019, except as noted (report quantity data in pounds and value data in U.S. dollars, f.o.b. plant). If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total U.S. production of the Domestic Like Product accounted for by your firm’s(s’) production;

(b) Capacity (quantity) of your firm to produce the Domestic Like Product (that is, the level of production that your establishment(s) could reasonably have expected to attain during the year assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix);

(c) the quantity and value of U.S. commercial shipments of the Domestic Like Product produced in your U.S. plant(s);

(d) the quantity and value of U.S. internal consumption/company transfers of the Domestic Like Product produced in your U.S. plant(s); and

(e) the value of (i) net sales, (ii) cost of goods sold (COGS), (iii) gross profit, (iv) selling, general and administrative (SG&A) expenses, and (v) operating income of the Domestic Like Product produced in your U.S. plant(s) (include both U.S. and export commercial sales, internal consumption, and company transfers) for your most recently completed fiscal year (identify the date on which your fiscal year ends).

(10) If you are a U.S. importer or a trade/business association of U.S. importers of the Subject Merchandise from the Subject Country, provide the following information on your firm’s(s’) operations on that product during calendar year 2019 (report quantity data in pounds and value data in U.S. dollars). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) The quantity and value (landed, duty-paid but not including antidumping or countervailing duties) of U.S. imports and, if known, an estimate of the percentage of total U.S. imports of Subject Merchandise from the Subject Country accounted for by your firm’s(s’) imports;

(b) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. commercial shipments of Subject Merchandise imported from the Subject Country; and

(c) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. internal consumption/company transfers of Subject Merchandise imported from the Subject Country.

(11) If you are a producer, an exporter, or a trade/business association of producers or exporters of the Subject Merchandise in the Subject Country, provide the following information on your firm’s(s’) operations on that product during calendar year 2019 (report quantity data in pounds and value data in U.S. dollars, landed and duty-paid at the U.S. port but not including antidumping or countervailing duties). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total production of Subject Merchandise in the Subject Country accounted for by your firm’s(s’) production;

(b) Capacity (quantity) of your firm(s) to produce the Subject Merchandise in the Subject Country (that is, the level of production that your establishment(s) could reasonably have expected to attain during the year, assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix); and

(c) the quantity and value of your firm’s(s’) exports to the United States of Subject Merchandise and, if known, an estimate of the percentage of total exports to the United States of Subject Merchandise from the Subject Country accounted for by your firm’s(s’) exports.

(12) Identify significant changes, if any, in the supply and demand conditions or business cycle for the Domestic Like Product that have occurred in the United States or in the market for the Subject Merchandise in the Subject Country since the Order Date, and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the Domestic Like Product produced in the United States, Subject Merchandise produced in the Subject Country, and such merchandise from other countries.

(13) [Optional] A statement of whether you agree with the above definitions of the Domestic Like Product and Domestic Industry; if you disagree with either or both of these definitions,
please explain why and provide alternative definitions.

Authority: This proceeding is being conducted under authority of Title VII of the Tariff Act of 1930; this notice is published pursuant to §207.61 of the Commission’s rules.

By order of the Commission.
Lisa Barton,
Secretary to the Commission.

FOR FURTHER INFORMATION CONTACT:

SUMMARY: The Commission hereby gives notice that it has instituted reviews pursuant to the Tariff Act of 1930 (“the Act”), as amended, to determine whether revocation of the antidumping duty order on cut-to-length carbon steel plate from China and the termination of the suspended investigations on imports of cut-to-length carbon steel plate from China, Russia, and Ukraine would be likely to lead to continuation or recurrence of material injury. Pursuant to the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission.

DATES: Instituted November 2, 2020. To be assured of consideration, the deadline for responses is December 2, 2020. Comments on the adequacy of responses may be filed with the Commission by January 14, 2021.


General information concerning the Commission may also be obtained by accessing its internet server (https://www.usitc.gov). The public record for this proceeding may be viewed on the Commission’s electronic docket (EDIS) at https://edis.usitc.gov.

SUPPLEMENTARY INFORMATION:
Background.—On October 24, 1997, the Department of Commerce (“Commerce”) suspended antidumping duty investigations on imports of cut-to-length carbon steel plate from China, Russia, and Ukraine (62 FR 61766, 61773, and 61780, November 19, 1997). Following the first five-year reviews by Commerce and the Commission, effective September 17, 2003, Commerce issued a continuation of the suspended investigations on imports of cut-to-length carbon steel plate from China, Russia, and Ukraine (68 FR 34417). The suspension agreement concerning cut-to-length carbon steel plate from China was subsequently terminated and an antidumping duty order was imposed effective November 3, 2003 (68 FR 60081). Commerce issued a continuation of the antidumping duty order on imports of cut-to-length carbon steel plate from China and of the suspended investigations on imports of cut-to-length carbon steel plate from Russia and Ukraine following the second five-year reviews (74 FR 57994, November 10, 2009) and third five-year reviews (60 FR 79306, December 21, 2015). The Commission is now conducting the fourth five-year reviews pursuant to section 751(c) of the Act, as amended (19 U.S.C. 1675(c)), to determine whether revocation of the order concerning China and termination of the suspended investigations concerning Russia and Ukraine would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time. Provisions concerning the conduct of this proceeding may be found in the Commission’s Rules of Practice and Procedure at 19 CFR part 201, subparts A and B, and 19 CFR part 207, subparts A and F. The Commission will assess the adequacy of interested party responses to this notice of institution to determine whether to conduct full or expedited reviews. The Commission’s determinations in any expedited reviews will be based on the facts available, which may include information provided in response to this notice.

Definitions.—The following definitions apply to these reviews:

(1) Subject Merchandise is the class or kind of merchandise that is within the scope of the five-year reviews, as defined by Commerce.

(2) The Subject Countries in these reviews are China, Russia, and Ukraine.

(3) The Domestic Like Product is the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the Subject Merchandise. In its original determinations, the Commission defined the Domestic Like Product as cut-to-length plate, co-extensive with Commerce’s scope, produced by U.S. mills or cut from coiled plate by service centers. In its first, second, and third five-year review determinations, the Commission defined the Domestic Like Product as cut-to-length plate, including cut-to-length plate made from micro-alloy steel. One Commissioner defined the Domestic Like Product differently in the first five-year reviews.

(4) The Domestic Industry is the U.S. producers as a whole of the Domestic Like Product, or those producers whose collective output of the Domestic Like Product constitutes a major proportion of the total domestic production of the product. In its original determinations and its first, second, and third five-year review determinations, the Commission defined the Domestic Industry to include all producers of the Domestic Like Product, whether toll producers, integrated producers, or processors. One Commissioner defined the Domestic Industry differently in the first five-year reviews.

(5) An Importer is any person or firm engaged, either directly or through a parent company or subsidiary, in importing the Subject Merchandise into the United States from a foreign manufacturer or through its selling agent.

Participation in the proceeding and public service list.—Persons, including industrial users of the Subject Merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the proceeding as parties must file an entry of appearance with the Secretary to the Commission, as provided in §201.11(b)(4) of the Commission’s rules, no later than 21 days after publication of this notice in the Federal Register. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the proceeding.

Former Commission employees who are seeking to appear in Commission five-year reviews are advised that they may appear in a review even if they participated personally and substantially in the corresponding underlying original investigation or an earlier review of the same underlying investigation. The Commission’s designated agency ethics officer has advised that a five-year review is not the same particular matter as the underlying