

rod from Canada for the limited purpose of placing the September 24, 2002 submission by Ivaco on the record. The September 24, 2002 submission is a public document, and will be obtainable by accessing the Commission's Electronic Document Information System (EDIS) on its Internet server (<http://www.usitc.gov>).

#### Participation in the Proceeding

Only those parties who were parties to the original administrative proceeding (*i.e.*, parties listed on the Commission Secretary's service list), may participate in this remand proceeding. No additional filings with the Commission will be necessary for these parties to participate in the remand proceeding. Parties that are participating in the remand proceeding may file comments on this document on or before September 24, 2004. Information obtained during the remand proceeding will be governed, as appropriate, by the administrative protective order ("APO") in effect in the original investigation.

#### Written Submissions

Each party participating in this remand proceeding may submit one set of written comments to the Commission. These comments must be concise and limited specifically to comments on the September 24, 2002 submission. Any material in the comments that does not address the content of the September 24, 2002 submission will be disregarded. No new factual information may be included in such comments. Comments shall be submitted in a font of no smaller than 11-point (Times New Roman) and shall be limited to no more than five double-spaced pages (inclusive of footnotes, tables, graphs, exhibits, appendices, etc.). These comments must be filed at the Commission no later than the close of business on September 24, 2004.

All comments must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain business proprietary information (BPI) must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. In accordance with sections 201.16 (c) and 207.3 of the rules, each document filed by a party to the original investigation must be served on all other parties to the original investigation (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** This action is taken under the authority of the Tariff Act of 1930, title VII.

Issued: September 16, 2004.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 04-21259 Filed 9-20-04; 8:45 am]

**BILLING CODE 7020-02-P**

### INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-525]

#### Certain Semiconductor Devices and Products Containing Same; Notice of Investigation

**AGENCY:** International Trade Commission.

**ACTION:** Institution of investigation pursuant to 19 U.S.C. § 1337.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on August 18, 2004, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Taiwan Semiconductor Manufacturing Company, Ltd. of Hsinchu, Taiwan, TSMC North America of San Jose, California, and WaferTech L.L.C. of Camas, Washington. Supplements to the complaint were filed on September 7 and September 15, 2004. The complaint, as supplemented, alleges 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 semiconductor devices and products containing same by reason of infringement of claims 1 and 11 of U.S. Patent No. 6,121,091, claims 1-6 and 8-15 of U.S. Patent No. 6,251,795, and claims 1, 2, 5, 6, 15, and 16 of U.S. Patent No. 6,235,653 and also by reason of misappropriation of trade secrets, the threat or effect of which is to destroy or substantially injure an industry in the United States. The complaint further alleges that there exists an industry in the United States with respect to the asserted intellectual property rights.

The complainants request that the Commission institute an investigation and, after the investigation, issue a permanent limited exclusion order and a permanent cease and desist order.

**ADDRESSES:** The complaint and supplements, except for any confidential information contained therein, are 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., Room 112, Washington, DC 20436, telephone (202) 205-2000. Hearing-impaired

individuals are advised that information on this matter can be obtained 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 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>.

**FOR FURTHER INFORMATION CONTACT:** Jay H. Reiziss, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2579.

#### SUPPLEMENTARY INFORMATION:

**Authority:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2004).

#### Scope of Investigation

Having considered the complaint, the U.S. International Trade Commission, on September 14, 2004, *Ordered That*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine:

(a) Whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain semiconductor devices or products containing same by reason of infringement of claims 1 or 11 of U.S. Patent No. 6,121,091, claims 1-6, 8-14, or 15 of U.S. Patent No. 6,251,795, or claims 1, 2, 5, 6, 15, or 16 of U.S. Patent No. 6,235,653, and whether an industry in the United States exists as required by subsection (a)(2) of section 337; and

(b) Whether there is a violation of subsection (a)(1)(A) of section 337 in the importation into the United States of certain semiconductor devices or products containing same or in the sale of such articles by reason of misappropriation of trade secrets, the threat or effect of which is to destroy or substantially injure an industry in the United States.

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are:  
Taiwan Semiconductor Manufacturing Company, Ltd., 8 Li-Hsin Road 6, Hsinchu Science Park, Hsinchu, Taiwan.

TSMC North America, 2585 Junction Ave., San Jose, California 94134

WaferTech L.L.C., 5509 NW. Parker Street, Camas, Washington 98607.

(b) The respondents are the following companies alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Semiconductor Manufacturing International Corporation, No. 18 Zhangjiang Road, Pudong New Area, Shanghai 201203, China.

Semiconductor Manufacturing International (Shanghai) Corporation, No. 18 Zhangjiang Road, Pudong New Area, Shanghai 201203, China.

SMIC Americas, 45757 Northport Loop West, Fremont, California 94538.

(c) Jay H. Reiziss, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Room 401-D, Washington, DC 20436, who shall be the Commission investigative attorney, party to this investigation; and

(3) For the investigation so instituted, the Honorable Sidney Harris is designated as the presiding administrative law judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d) and 210.13(a), such responses will be considered by the Commission if received no later than 20 days after the date of service by the Commission of the complaint and notice of investigation. Extensions of time for submitting responses to the complaint will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter both an initial determination and a final determination containing such findings, and may result in the issuance of a limited exclusion order or a cease and desist order or both directed against such respondent.

Issued: September 16, 2004.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 04-21192 Filed 9-20-04; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 701-TA-381-382 and 731-TA-797-804 (Review)]

### Stainless Steel Sheet and Strip From France, Germany, Italy, Japan, Korea, Mexico, Taiwan, and the United Kingdom

**AGENCY:** International Trade Commission.

**ACTION:** Notice of Commission determinations to conduct full five-year reviews and scheduling of full five-year reviews concerning the countervailing duty orders on stainless steel sheet and strip from Italy and Korea and the antidumping duty orders on stainless steel sheet and strip from France, Germany, Italy, Japan, Korea, Mexico, Taiwan, and the United Kingdom.

**SUMMARY:** The Commission hereby gives notice that it will proceed with full reviews 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 countervailing duty orders on stainless steel sheet and strip from Italy and Korea and the antidumping duty orders on stainless steel sheet and strip from France, Germany, Italy, Japan, Korea, Mexico, Taiwan, and the United Kingdom would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. The Commission also hereby gives notice of scheduling of the subject full five-year reviews. The Commission has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B). For further information concerning the conduct of these reviews 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 September 7, 2004.

**FOR FURTHER INFORMATION CONTACT:**

Debra Baker (202-205-3180), 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 reviews may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**SUPPLEMENTARY INFORMATION:** On September 7, 2004, the Commission determined that it should proceed to full reviews in the subject five-year reviews pursuant to section 751(c)(5) of the Act. The Commission found that the domestic interested party group response and the respondent interested party group responses concerning France, Germany, Italy, Korea, and Mexico to its notice of institution (69 FR 30958, June 1, 2004) were adequate and that the respondent interested party group responses concerning Japan, Taiwan, and the United Kingdom were inadequate. Nevertheless, the Commission determined to conduct full reviews of all orders in order to promote administrative efficiency. 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.

*Participation in the reviews 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 these reviews as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission's rules, by 45 days after publication of this notice. A party that filed a notice of appearance following publication of the Commission's notice of institution of the reviews need not file an additional notice of appearance. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the reviews.

*Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.* Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in these reviews available to authorized applicants under the APO issued in the reviews, provided that the application is made by 45 days after publication of this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the reviews. A party granted access to BPI following publication of the Commission's notice of institution of the reviews need not reapply for such