

Stonaga Historic District, VA 600, form 0.1 mi. N. of jct. with VA 685 to a point approx. 3 mi. to the NE., Appalachia, 03001435

A request for a MOVE has been made for the following resource:

TEXAS

Harris County

Cohn, Arthur B., House 1711 Rusk Ave. Houston, 85002771

A request for REMOVAL has been made for the following resources:

MAINE

Androscoggin County

Livermore, Deacon Elijah, House 6 mi. S. of Livermore Falls on Hillman's Ferry Rd., Livermore Falls vicinity, 75000089

Kennebec County

Shrewsbury Round Barn, 109 Benton Ave., Winslow, 82000758

Lincoln County

Smith, Asa, Homestead, ME 218, Alna, 83000465

York County

First Parish Congregational Church, 12 Beach St., Saco, 90000921

[FR Doc. 03-30927 Filed 12-15-03; 8:45 am]

BILLING CODE 4312-51-P

DEPARTMENT OF THE INTERIOR

National Park Service

National Register of Historic Places; Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before November 29, 2003. Pursuant to section 60.13 of 36 CFR part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded by United States Postal Service, to the National Register of Historic Places, National Park Service, 1849 C St. NW., 2280, Washington, DC 20240; by all other carriers, National Register of Historic Places, National Park Service, 1201 Eye St. NW., 8th floor, Washington, DC 20005; or by fax, 202-371-6447. Written or faxed comments should be submitted by December 31, 2003.

Carol D. Shull,

Keeper of the National Register of Historic Places.

CALIFORNIA

Stanislaus County

Plaza Building, Plaza #2, Patterson, 03001359

COLORADO

Costilla County

San Luis Souther Railway Trestle, (Railroads in Colorado, 1858-1948 MPS) abandoned section of Costilla Cty Rd. 12, Blanca, 03001361

Garfield County

Canyon (Canon) Creek School, District No. 32, (Rural School Buildings in Colorado MPS) 0566 Cty Rd. 137, Glenwood Springs, 03001360

Larimer County

Benson, A.S., House, 463 W. 5th St., Loveland, 03001362

FLORIDA

Indian River County

Old Town Sebastian Historic District, West, Bounded by Palmetto Ave, Lake and Main Sts., Sebastian, 03001364

Palm Beach County

Lofthus (shipwreck), 0.75 mi. N. of Boynton Inlet, 175 yards offshore, Boynton Beach, 03001363

GEORGIA

Banks County

Turk Family Farm, 534 Carson Segars Rd., Maysville, 03001365

IDAHO

Gooding County

Schubert Theatre, (Motion Picture Theater Buildings in Idaho MPS) 402 Main St., Gooding, 03001367

Idaho County

Baker, James V. and Sophia, House, 204 Broadway St., Cottonwood, 03001366

Latah County

White Spring Ranch, 1004 Lorang Rd., Genesee, 03001368

Washington County

Wilson House, 75 N. 5th St., Cambridge, 03001369

IOWA

Mahaska County

Vander Wilt Farmstead Historic District, 1345 IA 163, Black Oak Twp., Sec. 22, T26N, R17W, SW. of Ne, Leighton, 03001370

MARYLAND

Baltimore Independent city

Ednor Gardens Historic District, Roughly bounded by Ellerslie Ave., 36th St., The Alameda, Andover Rd. and Chestnut Hill Ave., Baltimore (Independent City), 03001373

Mayfield Historic District, Lake Montebello Rd.—Chesterfield Ave.—Crossland Ave.—Erdman Ave., Baltimore (Independent City), 03001371

MASSACHUSETTS

Bristol County

Attleborough Falls Historic District, Mt. Hope St., just W of Reservoir St. to the 10 Mile

River, Towne St. from Mt. Hope St. to the 10 Mile River, North Attleborough, 03001372

MINNESOTA

Dakota County

Oheyawahi—Pilot Knob, off MN 55, Mendota Heights, 03001374

NORTH CAROLINA

Gaston County

Downtown Gastonia Historic District, Roughly bounded by Main Ave., Broad St., Second Ave., and Chester St., Gastonia, 03001375

TEXAS

Fort Bend County

Woods, B. Ray and Charlotte, House, 610 Woods Ln., Katy, 03001377

Hunt County

Central Christian Church, 2611 Wesley St., Greenville, 03001376

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DEPARTMENT OF THE INTERIOR

National Park Service

National Register of Historic Places; Notification of Pending Nominations

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Carol D. Shull,

Keeper of the National Register of Historic Places.

CALIFORNIA

Butte County

Forks of Butte, Address Restricted, Paradise, 03001357

Inyo County

Reilly, Address Restricted, Trona, 03001358

Lassen County

Bruff's Rock Petroglyph Site, Address Restricted, Susanville, 03001356

Los Angeles County

Lincoln Park Historic District, Roughly bounded by McKinley Ave., Towne Ave., Pasadena St. and Garey Ave., Pomona, 03001347

San Luis Obispo County

Atascadero Printery, 6351 Olmeda, Atascadero, 03001355

IOWA**Johnson County**

Henyon-Kasper—Duffy Barn, 2520 IA 1 NE., Solon, 03001348

Story County

Old Town Historic District, (Home for Science and Technology: Ames, IA MPS) Bet. Duff and Clark Ave., and 7th and 9th Sts., Ames, 03001349

MINNESOTA**Winona County**

Winona High School and Winona Junior High School, 166 and 218 W. Broadway St., Winona, 03001350

NEW MEXICO**Dona Ana County**

Rio Grande Theatre, 211 N. Downtown Mall, Las Cruces, 03001352

Valencia County

La Capilla de San Antonio de Los Lentos, (Religious Properties of New Mexico MPS) Los Lentos Rd., Los Lentos, 03001351

NEW YORK**Rensselaer County**

Petersburgh United Methodist Church, 12 Head of Lane Rd., Petersburgh, 03001354
Sand Lake Baptist Church, 2960 NY 43, Averill Park, 03001353

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INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-474]

Certain Recordable Compact Discs and Rewritable Compact Discs; Notice of Commission Decision To Review Portions of an Initial Determination Finding No Violation of Section 337 of the Tariff Act of 1930

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review portions of the presiding administrative law judge's ("ALJ's") final initial determination ("ID") and to affirm ALJ Order No. 32.

FOR FURTHER INFORMATION CONTACT: Clara Kuehn, Esq., Office of the General

Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-3012. Copies of the public version of the ALJ's final 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. 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>. 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 26, 2002, based on a complaint filed by U.S. Philips Corporation of Tarrytown, NY ("Philips" or "complainant"). 67 FR 48,948 (2002). The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain recordable compact discs and rewritable compact discs by reason of infringement of certain claims of six U.S. patents: claims 1, 5, and 6 of U.S. Patent No. 4,807,209; claim 11 of U.S. Patent No. 4,962,493; claims 1, 2, and 3 of U.S. Patent No. 4,972,401; claims 1, 3, and 4 of U.S. Patent No. 5,023,856; claims 1-5, and 6 of U.S. Patent No. 4,999,825; and claims 20, 23-33, and 34 of U.S. Patent No. 5,418,764. 67 FR 48,948 (2002).

The notice of investigation named 19 respondents, including GigaStorage Corporation Taiwan of Hsinchu, Taiwan; GigaStorage Corporation USA of Livermore, California (collectively, "GigaStorage"); and Linberg Enterprise Inc. ("Linberg") of West Orange, New Jersey. 67 FR 48,948 (2002). On August 14, 2002, the ALJ issued an ID (Order No. 2) granting a motion to intervene as respondents by Princo Corporation of Hsin-Chu, Taiwan, and Princo America Corporation of Fremont, California (collectively, "Princo"). That ID was not reviewed by the Commission. GigaStorage, Linberg, and Princo ("respondents") are the only remaining active respondents in this investigation. See ALJ Order No. 6 (an unreviewed ID terminating eight respondents on the

basis of a consent order); ALJ Order No. 17 (an unreviewed ID terminating each of three respondents on the basis of a consent order and settlement agreement); ALJ Order No. 18 (an unreviewed ID terminating one respondent on the basis of a consent order and settlement agreement); and ALJ Order No. 21 (an unreviewed ID finding four respondents in default).

On April 7, 2003, the ALJ issued an ID (ALJ Order No. 20) granting complainant's unopposed motion for summary determination that Linberg, GigaStorage, and Princo have each sold for importation, imported, and/or sold after importation products accused of infringing one or more of the asserted patent claims. That ID was not reviewed by the Commission.

A tutorial session was held on June 3, 2003, and an evidentiary hearing was held from June 10, 2003, through June 20, 2003.

On June 30, 2003, the ALJ issued an order (ALJ Order No. 32) granting a motion *in limine* filed by respondents to preclude complainant from asserting the doctrine of unclean hands with respect to respondents' affirmative defense of patent misuse.

The ALJ issued his final ID on October 24, 2003. Although he found that none of the asserted claims are invalid, that the accused products infringe the asserted claims, and that the domestic industry requirement of section 337 has been satisfied, he found no violation of section 337 because he concluded that all of the asserted patents are unenforceable by reason of patent misuse.

On November 5, 2003, complainant Philips petitioned for review of the portion of the final ID that found the asserted patents unenforceable due to patent misuse, and also appealed ALJ Order No. 32. On the same day, respondents filed a paper entitled "Statement of Respondents Princo Corp., Princo America Corp., GigaStorage Corp. Taiwan, GigaStorage Corp. USA, and Linberg Enterprises, Inc. Regarding the Initial Determination," in which respondents urged the Commission to adopt the ID in its entirety. Respondents and the IA filed responses to complainant's petition for review.

On December 8, 2003, the ALJ issued his recommended determination on remedy and bonding.

Having reviewed the record in this investigation, including the parties' written submissions, the Commission determined to affirm ALJ Order No. 32 and to review the ID's findings of fact and conclusions of law concerning patent misuse. The Commission has