

**INTERNATIONAL TRADE
COMMISSION**

[Inv. No. 337-TA-499]

In the Matter of Certain Audio Digital-to-Analog Converters and Products Containing Same; Notice of Commission Decision Not To Review an Initial Determination Granting a Motion To Amend the Complaint and Notice of Investigation To Add Another Patent and Eight Patent Claims

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 the presiding administrative law judge's ("ALJ's") initial determination ("ID") (Order No. 5) granting a motion to amend the complaint and notice of investigation to add allegations of infringement of five additional claims of U.S. Patent No. 6,492,928 B1 ("the '928 patent") and three claims of U.S. Patent No. 6,011,501 ("the '501 patent").

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 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 November 14, 2003, based on a complaint filed on behalf of Cirrus Logic, Inc. of Austin, Texas. 68 FR 64641 (Nov. 14, 2003). The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930 in the importation into the United States, sale for importation, and sale within the United States after importation of certain audio digital-to-analog converters and products containing

same by reason of infringement of claims 1 and 11 of the '928 patent. The notice of investigation named two respondents: Wolfson Microelectronics, PLC of Edinburgh, United Kingdom; and Wolfson Microelectronics, Inc. of San Diego, Calif. (collectively "Wolfson"). *Id.*

On December 9, 2003, complainant moved pursuant to Commission rule 210.14(b) to amend the complaint and notice of investigation to add five additional claims of the single patent in issue and three claims of another patent to the scope of the investigation, *viz.*, claims 2, 3, 5, 6, and 15 of the '928 patent, and claims 9, 12, and 19 of the '501 patent. On December 17, 2003, the Commission investigative attorney filed a response supporting the motion. In a response dated December 17, 2003, Wolfson opposed complainant's motion to the extent that it sought to add the '501 patent to this investigation. The parties presented oral argument at a preliminary conference on December 18, 2003. Pursuant to a request by the ALJ at the preliminary conference, complainant and Wolfson filed supplemental submissions on December 23, 2003.

On December 29, 2003, the ALJ issued an ID (Order No. 5) granting the motion to amend the complaint and notice of investigation to add claims 2, 3, 5, 6, and 15 of the '928 patent, and claims 9, 12, and 19 of the '501 patent. No party petitioned for review of 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 of the Commission's Rules of Practice and Procedure (19 CFR 210.42).

Issued: January 21, 2004.

By order of the Commission.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 04-1739 Filed 1-27-04; 8:45 am]

BILLING CODE 7020-02-P

**INTERNATIONAL TRADE
COMMISSION**

[Investigations Nos. 701-TA-432 and 731-TA-1024-1028 (Final)]

Prestressed Concrete Steel Wire Strand From Brazil, India, Korea, Mexico, and Thailand

Determinations

On the basis of the record ¹ developed in the subject investigations, the United States International Trade Commission (Commission) determines, pursuant to section 705(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)) (the Act), that an industry in the United States is materially injured by reason of imports from India of prestressed concrete steel wire strand (PC strand) that have been found by the Department of Commerce (Commerce) to be subsidized by the Government of India and by reason of imports from Brazil, India, Korea, Mexico, and Thailand of PC strand that have been found by Commerce to be sold in the United States at less than fair value (LTFV). The subject merchandise is provided for in subheading 7312.10.30 of the Harmonized Tariff Schedule of the United States.

Background

The Commission instituted these investigations effective January 31, 2003, following receipt of petitions filed with the Commission and Commerce by American Spring Wire Corp., Bedford Heights, OH; Insteel Wire Products Co., Mt. Airy, NC; and Sumiden Wire Products Corp., Stockton, CA. The final phase of the investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of PC strand from India were being subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)) and that imports of PC strand from Brazil, India, Korea, Mexico, and Thailand were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigations and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of September 4, 2003 (68 FR 52614). The hearing was held in Washington, DC, on December 2, 2003, and all persons who requested the

¹ The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on January 21, 2004. The views of the Commission are contained in USITC Publication 3663 (January 2004), entitled *Prestressed Concrete Steel Wire Strand from Brazil, India, Korea, Mexico, and Thailand: Investigations Nos. 701-TA-432 and 731-TA-1024-1028 (Final)*.

Issued: January 22, 2004.

By order of the Commission.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 04-1741 Filed 1-27-04; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-1058 (Preliminary)]

Wooden Bedroom Furniture From China

Determination

On the basis of the record¹ developed in the subject investigation, the United States International Trade Commission (Commission) determines, pursuant to section 733(a) of the Tariff Act of 1930 (19 U.S.C. 1673b(a)) (the Act), that there is a reasonable indication that an industry in the United States is materially injured² by reason of imports from China of wooden bedroom furniture, provided for in subheading 9403.50.90 of the Harmonized Tariff Schedule of the United States (HTS),³ that are alleged to be sold in the United States at less than fair value (LTFV).

Commencement of Final Phase Investigation

Pursuant to section 207.18 of the Commission's rules, the Commission also gives notice of the commencement of the final phase of its investigation. The Commission will issue a final phase notice of scheduling, which will be published in the **Federal Register** as provided in section 207.21 of the Commission's rules, upon notice from the Department of Commerce (Commerce) of an affirmative preliminary determination in the investigation under section 733(b) of the Act, or, if the preliminary determination

is negative, upon notice of an affirmative final determination in that investigation under section 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigation need not enter a separate appearance for the final phase of the investigation. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigation.

Background

On October 31, 2003, a petition was filed with the Commission and Commerce by the American Furniture Manufacturers Committee For Legal Trade, Washington, DC, and its individual members; Cabinet Makers, Millmen, and Industrial Carpenters Local 721, Whittier, CA; UBC Southern Council of Industrial Workers Local Union 2305, Columbus, MS; United Steel Workers of America Local 193U, Lewisburg, PA; Carpenters Industrial Union Local 2093, Phoenix, AZ; and Teamsters, Chauffeurs, Warehousemen and Helpers Local 991, Bay Minette, AL, alleging that an industry in the United States is materially injured or threatened with material injury by reason of LTFV imports of wooden bedroom furniture from China. Accordingly, effective October 31, 2003, the Commission instituted antidumping duty investigation No. 731-TA-1058 (Preliminary).

Notice of the institution of the Commission's investigation and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of November 10, 2003 (68 FR 63816). The conference was held in Washington, DC, on November 21, 2003, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determination in this investigation to the Secretary of Commerce on January 12, 2004. The views of the Commission are contained in USITC Publication 3667 (January 2004), entitled *Wooden Bedroom Furniture from China: Investigation No. 731-TA-1058 (Preliminary)*.

Issued: January 21, 2004.

By order of the Commission.

Marilyn R. Abbott,

Secretary.

[FR Doc. 04-1740 Filed 1-27-04; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-53,147; TA-W-53,147A]

Eagle Picher, Inc., Hillsdale, Michigan; and Eagle Picher, Inc., Jonesville, Michigan; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on November 21, 2003, applicable to workers of Eagle Picher, Inc., located in Hillsdale, Michigan. The notice will soon be published in the **Federal Register**.

At the request of the petitioner, the Department reviewed the certification for workers of the subject firm. Workers of Eagle Picher, Inc. in Hillsdale, Michigan, produce precision machined components and assemblies for the automotive industry.

Review of the file shows that the Department inadvertently excluded workers separated from employment at Eagle Picher, Inc. in Jonesville, Michigan. The workers at the Jonesville location are part of the vertically integrated production of precision machined components and assemblies at Eagle Picher, Inc. in Hillsdale, Michigan.

It is the Department's intent to include all workers of Eagle Picher affected by increases in imports. Accordingly, the Department is amending the certification to include workers of Eagle Picher in Jonesville, Michigan.

The amended notice applicable to TA-W-53,147 is hereby issued as follows:

All workers of Eagle Picher, Inc., Hillsdale, Michigan (TA-W-53,147), and Eagle Picher, Inc., Jonesville, Michigan (TA-W-53,147A), who became totally or partially separated from employment on or after September 26, 2002, through November 21, 2005, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974.

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

² Commissioner Pearson makes a determination of threat of material injury.

³ Subject merchandise may also be provided for in HTS subheadings 7009.92.50 and 9403.90.70.