

have been found by the Department of Commerce to be sold in the United States at less than fair value (LTFV).

#### Background

The Commission instituted this investigation effective March 14, 1996, following receipt of a petition filed with the Commission and the Department of Commerce by Brush Wellman, Cleveland, OH. The final phase of the investigation was scheduled by the Commission following notification of a preliminary determination by the Department of Commerce that imports of beryllium metal and high-beryllium alloys from Kazakstan 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 Commission's investigation 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 19, 1996 (61 FR 49341). The hearing was held in Washington, DC, on January 22, 1997, 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 February 24, 1997. The views of the Commission are contained in USITC Publication 3019 (February 1997), entitled "Beryllium Metal and High-Beryllium Alloys from Kazakstan: Investigation No. 731-TA-746 (Final)."

Issued: February 27, 1997.

By order of the Commission.

Donna R. Koehnke,  
Secretary.

[FR Doc. 97-5413 Filed 3-4-97; 8:45 am]

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#### [Inv. No. 337-TA-381]

#### **Certain Electronic Products, Including Semiconductor Products, Manufactured by Certain Processes; Commission Determination Not To Review an Initial Determination Terminating the Investigation on the Basis of a Settlement Agreement**

**AGENCY:** International Trade Commission.

(HTS). High-beryllium alloys in which beryllium does not predominate are provided for elsewhere in the HTS; e.g., high-beryllium alloys in which aluminum predominates are provided for in HTS subheading 7601.20.90. Although the HTS subheadings are provided for convenience and Customs purposes, the written description of the scope of this investigation is dispositive.

#### **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. 24) in the above-captioned investigation terminating the investigation on the basis of a settlement agreement.

**FOR FURTHER INFORMATION CONTACT:** Mark D. Kelly, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202-205-3106.

**SUPPLEMENTARY INFORMATION:** This patent-based section 337 investigation was instituted by the Commission on February 22, 1996, on behalf of Texas Instruments Incorporated, Dallas, Texas. 61 FR 6863. The complaint alleged 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 electronic products, including semiconductor products, that are manufactured, produced, and assembled using processes that are covered by claims 1-8 or 9 of U.S. Letters Patent 4,884,674; claims 1-6 or 7 of U.S. Letters Patent 5,216,613; or claims 1-14 or 15 of U.S. Letters Patent 4,490,209; and that there existed an industry in the United States as required by subsection (a)(2) of section 337. The notice of investigation named Samsung Electronics Company, Ltd., Seoul, Korea and Samsung America, Inc., Ridgefield Park, New Jersey as respondents.

On December 23, 1996, the parties to the investigation, pursuant to Commission rule 210.21(a)(1) and (b)(1), filed a joint motion to terminate the investigation as to all issues based upon a settlement agreement. On January 30, 1997, the presiding ALJ granted the joint motion and issued an ID (Order No. 24) terminating the investigation on the basis of the settlement agreement. The ALJ found that there is no indication that termination of the investigation would have an adverse impact on the public interest and that termination based on settlement is generally in the public interest. No petitions for review were filed.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, and Commission rule 210.42, 19 CFR 210.42.

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. Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

Issued: February 27, 1997.

By order of the Commission.

Donna R. Koehnke,  
Secretary.

[FR Doc. 97-5411 Filed 3-4-97; 8:45 am]

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#### [Inv. No. 337-TA-385]

#### **Certain Random Access Memories, Processes for the Manufacture of Same, and Products Containing Same; Commission Determination Not To Review an Initial Determination Terminating the Investigation on the Basis of a Settlement Agreement**

**AGENCY:** 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. 10) in the above-captioned investigation terminating the investigation on the basis of a settlement agreement.

**FOR FURTHER INFORMATION CONTACT:** Mark D. Kelly, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202-205-3106.

**SUPPLEMENTARY INFORMATION:** This patent-based section 337 investigation was instituted by the Commission on March 19, 1996, on behalf of Samsung Electronics Company, Ltd., Seoul, Korea. 61 FR 11222. The complaint alleged violations of section 337 based on the importation into the United States, the sale for importation, and the sale within the United States after importation of certain random access memories and products containing same that infringe claims 1-3 of U. S. Letters Patent 4,947,059, claims 1-7 of U. S. Letters Patent 5,444,026, and claims 1 and 5 of U. S. Letters Patent 5,072,134. The complaint also alleged that a domestic industry existed or was in the process of being established as required by subsection (a)(2) of section 337. The notice of investigation named Texas Instruments Incorporated of Dallas, Texas, Texas Instruments Singapore (PTE), Ltd., and Texas Instruments Japan, Ltd. as respondents.

On December 23, 1996, the parties to the investigation, pursuant to Commission rule 210.21(a)(1) and (b)(1), filed a joint motion to terminate the investigation as to all issues based upon a settlement agreement. On January 30, 1997, the presiding ALJ granted the joint motion and issued his ID (Order No. 10) terminating the investigation on the basis of the settlement agreement. The ALJ found that there is no indication that termination of the investigation would have an adverse impact on the public interest and that termination based on settlement is generally in the public interest. No petitions for review were filed.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, and Commission rule 210.42, 19 CFR 210.42.

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. Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

Issued: February 27, 1997.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 97-5412 Filed 3-4-97; 8:45 am]

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[Inv. No. 337-TA-394]

### **Certain Screen Printing Machines, Vision Alignment Devices Used Therein, and Component Parts Thereof; 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 January 28, 1997, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of MPM Corporation, 16 Forge Park, Franklin, Massachusetts 02038. Supplements to the complaint were filed on February 11, February 13, and February 18, 1997. 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 screen printing machines, vision alignment devices used therein, and component parts thereof that infringe claims 1, 2, 3, 4, 11, 18, and 21 of U.S. Letters Patent 5,060,063 and claims 1 and 7 of U.S. Letters Patent Re. 34,615. The complaint further alleges that there exists an industry in the United States as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after a hearing, issue a permanent exclusion order and permanent cease and desist orders.

**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.

**FOR FURTHER INFORMATION CONTACT:** Steven Glazer, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone 202-205-2577.

**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 (1996).

**SCOPE OF INVESTIGATION:** Having considered the complaint, the U.S. International Trade Commission, on February 27, 1997, *ordered that*

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine 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 screen printing machines, vision alignment devices used therein, or component parts thereof by reason of infringement of claims 1, 2, 3, 4, 11, 18, or 21 of U.S. Letters Patent 5,060,063, or claims 1 or 7 of U.S. Letters Patent Re. 34,615, and whether there exists an industry in the United States as required by subsection (a)(2) of section 337.

(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 complainant is—

MPM Corporation, 16 Forge Park Franklin, MA 02038.

(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:

DEK Printing Machines Limited, 11 Albany Road Granby Industrial Estate, Weymouth, Dorset DT4 9TH, United Kingdom.

DEK USA Inc., 8 Bartles Corner Road, Flemington, NJ 08822.

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

(3) For the investigation so instituted, the Honorable Paul J. Luckern 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) of the Commission's rules, such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the 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: February 27, 1997.

By order of the Commission.

Donna R. Koehnke,

Secretary.

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