

associated funerary objects are present. Museum records show that the donor removed these remains from his father's nursery approximately five miles southwest of McMinnville, OR, east of Highway 18 on the west bank of the Yamhill River in Yamhill County.

In 1950, human remains representing two individuals were donated to the Museum by a donor whose name is withheld by OSMA. No known individuals were identified. No associated funerary objects are present. Accession records indicate these remains were removed from a "burial mound" in a field no far from the south bank of Muddy Creek, two miles east of Highway 99E between Halsey and Harrisburg, and a short distance northwest of the Rowland schoolhouse in Yamhill County, OR.

Historical documents, ethnographic sources, and oral history indicate that the Yamhill and Kalapuya peoples have occupied the Yamhill County area since precontact times. Based on archeological context and/or skeletal morphology, these individuals from Yamhill County have been identified as Native American of possible Yamhill or Kalapuya cultural affiliation.

In 1947, human remains representing one individual from Netarts Spit, OR were donated to the Museum from a donor who collected the remains and whose name is withheld by OSMA. No known individual was identified. The one associated funerary object is an obsidian point.

In 1956, human remains representing one individual from the Netarts Spit site (35TI1), Tillamook County, OR were recovered during legally authorized excavations conducted by University of Oregon archeologists. No known individual was identified. No associated funerary objects are present.

In 1991, human remains representing one individual from the Kilchis Point Village site, Tillamook County, OR were transferred from Portland State University to the Museum. No known individual was identified. No associated funerary objects are present.

Historical documents, ethnographic sources, and oral history indicate that the Tillamook people have occupied the north-central Oregon coast area since precontact times. Based on archeological context and/or skeletal morphology, these individuals from Tillamook County have been identified as Native American of possible Tillamook cultural affiliation.

Based on the above mentioned information, officials of the Oregon State Museum of Anthropology have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed

above represent the physical remains of minimum of 143 individuals of Native American ancestry. Officials of the Oregon State Museum of Anthropology have also determined that, pursuant to 43 CFR 10.2 (d)(2), the approximately 547 objects listed above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony. Lastly, officials of the Oregon State Museum of Anthropology have determined that, pursuant to 43 CFR 10.2 (e), there is a relationship of shared group identity which can be reasonably traced between these Native American human remains and associated funerary objects and the Confederated Tribes of Grand Ronde and the Confederated Tribes of the Siletz Indians.

This notice has been sent to officials of the Shoalwater Bay Tribe of the Shoalwater Bay Indian Reservation, the Confederated Tribes of Grand Ronde, the Confederated Tribes of Siletz Indians, Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians of Oregon, the Coquille Tribe of Oregon, the Klamath Indian Tribe of Oregon, and the Quartz Valley Indian Community of the Quartz Valley Reservation. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains and associated funerary objects should contact C. Melvin Aikens, Oregon State Museum of Anthropology, 1224 University of Oregon, Eugene, OR 97403-1224; telephone: (541) 346-5115, before [thirty days after publication in the **Federal Register**]. Repatriation of the human remains and associated funerary objects to the Confederated Tribes of Grand Ronde may begin after that date if no additional claimants come forward.

The National Park Service is not responsible for the content of or determinations within this notice.

Dated: June 21, 1999.

Francis P. McManamon,

*Departmental Consulting Archeologist,
Manager, Archeology and Ethnography
Program.*

[FR Doc. 99-16849 Filed 7-1-99; 8:45 am]

BILLING CODE 4310-70-F

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-409]

In the Matter of Certain CD-ROM Controllers and Products Containing the Same—II; Notice of Commission Decisions to Review Portions of One Initial Determination and All of a Second Initial Determination, and Schedule for the Filing of Written Submissions on the Issues Under Review and on Remedy, the Public Interest, and Bonding

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review-in-part the final initial determination (ID) issued on May 12, 1999, by the presiding administrative law judge (ALJ) in the above-captioned investigation finding that there was no violation of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, and to review in its entirety an ID (ALJ Order No. 15) issued on May 10, 1999, granting respondent United Microelectronics Corporation's (UMC's) motion for a summary determination terminating UMC from the investigation.

FOR FURTHER INFORMATION CONTACT: Timothy P. Monaghan, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW, Washington, DC 20436, telephone 202-205-3152. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.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 May 13, 1998, based on a complaint filed by Oak Technology, Inc. 63 FR 26625 (1998). The complainant named four respondents: MediaTek, UMC, Lite-On Technology Corp., and AOpen Inc. Actima Technology Corporation, ASUSTek Computer, Incorporated, Behavior Tech Computer Corporation, Data Electronics, Inc., Momitsu Multi Media Technologies, Inc., Pan-International Industrial Corporation, and Ultima Electronics Corporation were permitted to intervene.

In its complaint, Oak alleged that respondents violated section 337 by importing into the United States, selling for importation, and/or selling in the United States after importation

electronic products and/or components that infringe claims 1–5 and 8–10 of U.S. Letters Patent 5,581,715 ('715 patent). The presiding ALJ held an evidentiary hearing from January 11, 1999, to January 28, 1999.

On May 10, 1999, the ALJ issued an ID (Order No. 15) granting the motion of respondent UMC for a summary determination terminating respondent UMC from the investigation on the basis of a license agreement. On May 12, 1999, the ALJ issued his final ID finding that there was no violation of section 337. He found that there was no infringement of any claims at issue. He further found that the claims in issue of the '715 patent were invalid for on-sale bar under 35 U.S.C. 102(b), anticipation under 35 U.S.C. 102(a), obviousness under 35 U.S.C. 103, for indefiniteness under 35 U.S.C. 112(2), (6), and for derivation under 35 U.S.C. 102(f). The ALJ found that there was a domestic industry with respect to the '715 patent.

Complainant Oak filed a petition for review of Order No. 15 and respondent UMC and the Commission investigative attorney (IA) filed responses to Oak's petition for review of Order No. 15. Oak, respondents, and the IA filed a petition for review of the final ID, and all parties subsequently responded to each other's petitions for review of the final ID.

Having examined the record in this investigation, including Order No. 15, the final ID, the petitions for review, and the responses thereto, the Commission has determined not to review the ID's findings with respect to the preamble and the Digital Signal Processor (DSP) element. The Commission has determined to review the remainder of the final ID and Order No. 15 in its entirety.

While the Commission expects the parties to brief all of the issues being reviewed, the Commission is particularly interested in receiving answers to the following questions:

(1) With respect to the claimed memory means, please cite and discuss any Federal Circuit cases dealing with indefiniteness of an issued patent, which carries a presumption of validity, in the context of apparent confusion between the language of the claim and the content of the specification.

(2) Should the claimed error detection and correction means be interpreted as a means-plus-function element that necessarily includes two specific circuits, but which may include more circuit structure?

(3) If the claimed error detection and correction means is construed as a means-plus-function element—

(a) Is it possible under current Federal Circuit case law to satisfy the

requirements for structural description under 35 U.S.C. 112 ¶ 6 by references to "circuits * * * commonly available as hardware used in many other applications?"

(b) Is there any evidence of record of commonly available hardware, at the time of the alleged infringement, for performing the error detection function by a cyclic redundancy check other than by a linear feedback shift register?

(c) Is common availability in hardware a prerequisite for determining whether the error detection circuitry in any accused device is an equivalent to a linear feedback shift register for purposes of section 112 ¶ 6 at the time of the alleged infringement?

(d) Does the MediaTek Error Detection Processor perform the identical function as the disclosed cyclic redundancy checker?

(e) At the time of the alleged infringement, would the MediaTek Error Detection Processor be considered an equivalent device under section 112 ¶ 6 for performing the claimed function?

(4) If the claimed error detection and correction means is not construed as a means-plus-function element, please discuss, to the extent the record will allow, whether the MediaTek Error Detection Processor, considering its operation from both a hardware and software standpoint, may be considered a cyclic redundancy checker?

(5) Under Federal Circuit case law, what is necessary to conclude that a feature of disclosed circuitry is directly linked to a claimed function in order to make it part of the "corresponding structure" under section 112 ¶ 6? In particular, could a patentee demonstrate this required linkage by showing, as a matter of logic, that the circuitry of the claimed means could not work without the feature in question, even though there is no explicit textual reference to the claimed function in the portion(s) of the specification dealing with that feature?

(6) Please discuss which features of the claimed host interface means should be included in the "corresponding structure" for purposes of construing this element.

(7) Please discuss, including all the engineering detail the record will allow, including timing relationships, signal characteristics, sequence of operations, and any other design parameters you deem relevant, how the claimed host interface means functions.

(8) With respect to the claimed host interface means—

(a) Does the preamble to claim 1 require that the host interface means directly connect to the IDE/ATA bus

and have sufficient circuitry to support any IDE-based command set?

(b) Aside from expanding to eight registers and changing the addressing scheme, what design problems had to be solved to go from the Mitsumi daughterboard to the claimed invention? Where are the solutions to those problems reflected in the patent specification?

(c) What design problems of the host interface means, if any, would remain unsolved in view of the ATA or ATAPI specifications? To the extent you contend that design features of the host interface means are disclosed by the engineering information in these specifications, please cite specific references, at least to sections and preferably to page numbers, where the information may be found.

(9) With respect to the ALJ's obviousness analysis, what is the teaching, motivation, or suggestion to combine the references employed?

(a) If you contend that the teaching, motivation, or suggestion derives, in whole or in part, from "the nature of the problem," please discuss the extent to which Federal Circuit case law has extended this concept beyond simple mechanical contexts.

(b) If you contend that it derives, in whole or in part, from the teachings of pertinent references, please cite to the passages in the references in question that you contend furnish such a suggestion.

(c) If you contend that it derives, in whole or in part, from the knowledge of those of ordinary skill in the art of the importance of certain references, please be specific as to how all or portions of the references in any given combination were well known in the art prior to the invention and how a person of ordinary skill in the art would have known to combine material from other references in the combination that are not so well known.

(10) 35 U.S.C. 103 directs that the reference point for an obviousness analysis is "at the time the invention was made." In view of the evidence of a conception date no later than April 1993, what is the relevance under governing case law of the ATAPI standard, which was apparently available to no one before June 10, 1993?

In connection with the final disposition of this investigation, the Commission may issue (1) an order that could result in the exclusion of the subject articles from entry into the United States, and/or (2) cease and desist orders that could result in respondents being required to cease and desist from engaging in unfair acts in

the importation and sale of such articles. Accordingly, the Commission is interested in receiving written submissions that address the form of remedy, if any, that should be ordered. If a party seeks exclusion of an article from entry into the United States for purposes other than entry for consumption, the party should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or likely to do so. For background, see *In the Matter of Certain Devices for Connecting Computers via Telephone Lines*, Inv. No. 337-TA-360, USITC Pub. No. 2843 (December 1994) (Commission Opinion).

If the Commission contemplates some form of remedy, it must consider the effects of that remedy upon the public interest. The factors the Commission will consider include the effect that an exclusion order and/or cease and desist orders would have on (1) the public health and welfare, (2) competitive conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are subject to investigation, and (4) U.S. consumers. The Commission is therefore interested in receiving written submissions that address the aforementioned public interest factors in the context of this investigation.

If the Commission orders some form of remedy, the President has 60 days to approve or disapprove the Commission's action. During this period, the subject articles would be entitled to enter the United States under a bond, in an amount determined by the Commission and prescribed by the Secretary of the Treasury. The Commission is therefore interested in receiving submissions concerning the amount of the bond that should be imposed.

Written Submissions

The parties to the investigation, interested government agencies, and any other interested parties are encouraged to file written submissions on the issues under review, and on remedy, the public interest, and bonding. Such submissions should address the May 26, 1999, recommended determination by the ALJ on remedy and bonding. Complainant and the Commission investigative attorney are also requested to submit proposed remedial orders for the Commission's consideration. The written submissions and proposed remedial orders must be filed no later than close of business on July 12, 1999. Reply submissions must be filed no later than the close of business on July 19, 1999. No further submissions on these

issues will be permitted unless otherwise ordered by the Commission.

Persons filing written submissions must file with the Office of the Secretary the original document and 14 true copies thereof on or before the deadlines stated above. Any person desiring to submit a document (or portion thereof) to the Commission in confidence must request confidential treatment unless the information has already been granted such treatment during the proceedings. All such requests should be directed to the Secretary of the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See section 201.6 of the Commission's Rules of Practice and Procedure, 19 CFR 201.6. Documents for which confidential treatment by the Commission is sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, and sections 210.45–210.51 of the Commission's Rules of Practice and Procedure, 19 CFR 210.45–210.51.

Copies of the public versions of the subject IDs, 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.

By order of the Commission.

Issued: June 28, 1999.

Donna R. Koehnke,

Secretary.

[FR Doc. 99–16928 Filed 7–1–99; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: United States International Trade Commission.

TIME AND DATE: July 7, 1999 at 2 p.m.

PLACE: Room 101, 500 E Street SW., Washington, DC 20436, Telephone: (202) 205–2000.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Agenda for future meeting: none
2. Minutes
3. Ratification List
4. Inv. Nos. 701–TA–380–382 and 731–TA–797–804 (Final) (Stainless Steel

Sheet and Strip from France, Germany, Italy, Japan, Korea, Mexico, Taiwan, and the United Kingdom)—briefing and vote. (The Commission will transmit its determination to the Secretary of Commerce on July 19, 1999.)

5. Inv. No. AA1921–162 (Review) (Melamine from Japan)—briefing and vote. (The Commission will transmit its determination to the Secretary of Commerce on July 21, 1999.)

6. Outstanding action jackets:

(1) Document No. EC–99–012: Approval of final report in Inv. No. 332–403 (Assessment of the Economic Effects on the United States of China's Accession to the WTO).

(2) Document No. GC–99–057: Regarding Inv. No. 337–TA–412 (Certain Video Graphics Display Controllers and Products Containing Same).

In accordance with Commission policy, subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

By order of the Commission.

Issued: June 29, 1999.

Donna R. Koehnke,

Secretary.

[FR Doc. 99–16996 Filed 6–30–99; 12:10 pm]

BILLING CODE 7020–20–P

INTERNATIONAL TRADE COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: United States International Trade Commission.

TIME AND DATE: July 9, 1999 at 11:00 a.m.

PLACE: Room 101, 500 E Street SW, Washington, DC 20436, Telephone: (202) 205–2000.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Agenda for future meeting: none
2. Minutes
3. Ratification List
4. Inv. No. 731–TA–827 (Preliminary) (Nitrile Rubber from Korea)—briefing and vote. (The Commission will transmit its determination to the Secretary of Commerce on July 12, 1999.)
5. Inv. No. 731–TA–828 (Preliminary) (Bulk Acetylsalicylic Acid (Aspirin) from China)—briefing and vote. (The Commission will transmit its determination to the Secretary of Commerce on July 12, 1999.)
6. Outstanding action jackets: (1) Document No. EC–99–012: