

of Practice and Procedure pertinent to five-year reviews, including the text of subpart F of part 207, are published at 63 FR 30599, June 5, 1998, and may be downloaded from the Commission's World Wide Web site at <http://www.usitc.gov/rules.htm>.

**EFFECTIVE DATE:** December 3, 1999.

**FOR FURTHER INFORMATION CONTACT:** Vera Libeau (202-205-3176), 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>).

**SUPPLEMENTARY INFORMATION:** On December 3, 1999, 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 responses to its notice of institution (64 FR 47862, September 1, 1999) were adequate with respect to all reviews, and that the respondent interested party group responses were adequate with respect to Belgium, Brazil, Canada, Finland, France, Germany, Japan, Korea, Mexico, Netherlands, Romania, Spain, and United Kingdom but inadequate with respect to Australia, Poland, Sweden, and Taiwan. The Commission also found that other circumstances warranted conducting full reviews with respect to Australia, Poland, Sweden, and Taiwan.

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.

**Authority:** These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

By order of the Commission.

Issued: December 14, 1999.

**Donna R. Koehnke,**  
*Secretary.*

[FR Doc. 99-32935 Filed 12-20-99; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-409]

### Certain CD-ROM Controllers and Products Containing The Same—II; Denial of Motion for Sanctions; Vacatur of Recommended Determination

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to deny respondents' motion for monetary sanctions and to vacate the presiding administrative law judge's ("ALJ") recommended determination ("RD") on monetary sanctions in the above-captioned 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. ("Oak"). The respondents named in the investigation are MediaTek, Inc., United Microelectronics Corp., Lite-On Technology Corp., and AOpen, Inc. On May 12, 1999, the ALJ issued his final initial determination ("ID") finding the patent in controversy invalid, unenforceable, not infringed, and that there was no violation of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337).

On January 13, 1999, respondents filed a motion for monetary sanctions against complainant Oak and its litigation counsel, Howrey & Simon ("Howrey"). On August 10, 1999, the ALJ issued an RD which recommended that sanctions be imposed on Oak and Howrey, jointly and severally, for an amount equal to respondents' reasonable attorney fees and costs in the investigation. The ALJ found that Oak and Howrey had abused Commission process by filing a section 337 complaint it knew was based on a patent that was invalid and unenforceable, in violation of section 210.4(d) of the Commission's Rules of

Practice and Procedure (19 CFR 210.4(d)).

On August 18, 1999, Oak and Howrey filed a motion to delay issuance of the public version of the RD imposing sanctions against Oak and Howrey. On August 31, 1999, the ALJ issued Order No. 18 denying Oak and Howrey's motion to delay issuance of the public version of the RD. On September 8, 1999, the Commission issued an order delaying issuance of the public version of the sanctions RD until issuance of the public version of the Commission opinion on whether there is a violation of section 337 in this investigation. The deadline for the parties to file comments on the RD was extended until 14 days after issuance of the public version of the Commission opinion on violation of section 337. All parties filed comments on the RD.

On October 1, 1999, the Commission affirmed the ID's finding of no infringement, but reversed the ID's findings of invalidity and unenforceability, and therefore determined there was no violation of section 337 in the investigation.

This action is taken under the authority of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) and section 210.25 of the Commission's Rules of Practice and Procedure (19 CFR 210.25).

Copies of the Commission's order and all other nonconfidential documents in the record of 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: December 13, 1999.

**Donna R. Koehnke,**  
*Secretary.*

[FR Doc. 99-32934 Filed 12-20-99; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-859  
(Preliminary)]

### Circular Seamless Stainless Steel Hollow Products From Japan

#### Determination

On the basis of the record<sup>1</sup> developed in the subject investigation, the United States International Trade Commission

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

determines,<sup>2</sup> pursuant to section 733(a) of the Tariff Act of 1930 (19 U.S.C. § 1673b(a)), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports from Japan of circular seamless stainless steel hollow products, provided for in subheadings 7304.10.50, 7304.41.30, 7304.41.60, and 7304.49.00 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (LTFV).

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

This investigation results from a petition filed on behalf of Altx, Inc., Watervliet, NY; American Extruded Products, PMAC Ltd., Beaver Falls, PA; DMV Stainless USA, Inc., Houston, TX; Salem Tube, Inc., Greenville, PA; Sandvik Steel Co., Scranton, PA; International Extruded Products LLC d/b/a Wyman-Gordon Energy Products—IXP Buffalo, Buffalo, NY; and the United Steelworkers of America, AFL-CIO/CLC, Pittsburgh, PA, on October 26, 1999, alleging that an industry in the United States is materially injured and threatened with material injury by reason of less-than-fair-value imports of circular seamless stainless steel hollow products from Japan. Accordingly, effective October 26, 1999, the Commission instituted antidumping

duty investigation No. 731-TA-859 (Preliminary). The Commission received an amendment to the petition on November 9, 1999, in which Pennsylvania Extruded Tube Co. joined as a co-petitioner in the case.

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 4, 1999 (64 FR 60223). The conference was held in Washington, DC, on November 16, 1999, 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 December 10, 1999. The views of the Commission are contained in USITC Publication 3262 (December 1999), entitled Circular Seamless Stainless Steel Hollow Products from Japan: Investigation No. 731-TA-859 (Preliminary).

Issued: December 13, 1999.

By order of the Commission.

**Donna R. Koehnke,**

Secretary.

[FR Doc. 99-32933 Filed 12-20-99; 8:45 am]

**BILLING CODE 7020-02-P**

#### INTERNATIONAL TRADE COMMISSION

[Investigation No. 751-TA-15]

#### Stainless Steel Plate From Sweden

**AGENCY:** United States International Trade Commission.

**ACTION:** Termination of changed circumstances review.

**SUMMARY:** On August 6, 1999, the Department of Commerce published notice of the revocation of the antidumping finding on stainless steel plate from Sweden (64 FR 42922). The revocation of the antidumping finding renders moot the Commission's suspended changed circumstances review on stainless steel plate from Sweden (investigation No. 751-TA-15). Accordingly, the Commission hereby gives notice that it is terminating changed circumstances review investigation No. 751-TA-15.

**EFFECTIVE DATE:** December 13, 1999.

**FOR FURTHER INFORMATION CONTACT:** Robert Carpenter (202-205-3172), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436.

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 (<http://www.usitc.gov>).

**SUPPLEMENTARY INFORMATION:** On June 30, 1993, the Commission self-initiated a changed circumstances review of its 1973 affirmative determination in *Stainless Steel Plate from Sweden*, Inv. No. AA1921-114, TC Pub. 573 (May 1973). The decision to initiate the review followed discovery of a 1976 Treasury scope ruling that excluded three specific products from the scope of the original antidumping finding covering stainless steel plate from Sweden. The Commission determined that exclusion of these three products from the scope of the finding constituted changed circumstances sufficient to warrant review of its determination. Following publication of the notice of institution of the review, the domestic industry and the Swedish producer Avesta requested that the Commission suspend the review until the Department of Commerce could resolve an ongoing scope inquiry covering the same products. On August 16, 1993, the Commission suspended the review. The review has remained suspended since that date during Commerce's scope proceeding and subsequent appellate litigation.

On August 3, 1998, the Commission instituted a review of the finding under 19 U.S.C. 1675(c) to determine whether revocation of the antidumping finding covering stainless steel plate from Sweden would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time (63 FR 41288, August 3, 1998). On June 23, 1999, the Commission determined that revocation of the antidumping finding covering stainless steel plate from Sweden would not be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. *Stainless Steel Plate from Sweden*, Inv. No. AA1921-114 (Review), USITC Pub. 3204 (July 1999). Accordingly, on August 6, 1999, the Department of Commerce published notice of the revocation of the antidumping finding

<sup>2</sup> Commissioner Crawford not participating.