

Please include the appropriate OMB control number in all correspondence.

ADDRESSES: Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Department of Interior Desk Officer, 725 17th Street, NW., Washington, DC 20503. Also, please send a copy of your comments to John A. Trelease, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW., Room 210—SIB, Washington, DC 20240, or electronically to jtrelas@osmre.gov.

Dated: March 12, 2002.

Richard G. Bryson,
Chief, Division of Regulatory Support.
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INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-469]

Certain Bearings and Packaging Thereof; Notice of 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 March 11, 2002, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of SKF USA Inc. of Norristown, Pennsylvania. An amended complaint was filed on March 21, 2002. Supplements to the complaint were filed on March 29 and April 5, 2002. The complaint, as amended and 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 bearings and packaging thereof by reason of (1) infringement of U.S. Trademark Registration Nos. 502,839, 502,840, 1,944,843, and 2,053,722; (2) infringement of common law trademarks; (3) dilution of registered and common law trademarks; (4) false representation of source in violation of Section 43(a)(1)(A) of the Lanham Act, 15 U.S.C. 1125(a)(1)(A); (5) false advertising in violation of Section 43(a)(1)(B) of the Lanham Act, 15 U.S.C. 1125(a)(1)(B); (6) passing off; and (7) unfair pecuniary benefits. The complaint further alleges that an industry in the United States exists as required by subsections (a)(1)(A) and (a)(2) of section 337.

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

ADDRESSES: The complaint, amended 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 ADD 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 at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDISON-ON-LINE) at <http://dockets.usitc.gov/eol/public>.

FOR FURTHER INFORMATION CONTACT: David O. Lloyd, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone 202-205-2576.

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 (2002).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on April 9, 2002, *Ordered That*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine:

(a) whether there is a violation of subsection (a)(1)(C) 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 bearings and packaging thereof by reason of infringement of U.S. Trademark Registration Nos. 502,839, 502,840, 1,944,843, or 2,053,722 and whether there exists an industry in the United States as required by subsection (a)(2) of section 337; and

(b) whether there is a violation of subsection (a)(1)(A) 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 bearings and packaging thereof

by reason of (1) infringement of common law trademarks; (2) dilution of registered and/or common law trademarks; (3) false representation of source; (4) false advertising; (5) passing off; or (6) unfair pecuniary benefits, the threat or effect of which is to destroy or substantially injure an industry in the United States.

(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—SKF USA Inc., 1111 Adams Avenue, Norristown, PA 19403.

(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:

Bearing Distributors Inc., 930 S. Stadium Road, Columbia, SC 29202.
Bearings & Motive Specialties Company, Inc., 90 Westmoreland Ave., White Plains, NY 10606.
Bearings Limited, 20 Davids Drive, Hauppauge, NY 11788.
Bohls Bearing & Power Transmission Service, 210 Probandt, San Antonio, TX 78204.
Creswell Industrial Supply, Inc., 6125 Airways Boulevard, Chattanooga, TN 37422.
CST Bearing Company, 2115 S. Santa Fe St., Santa Ana, CA 92705.
Gulf United Industries Inc., d/b/a United Bearing Company, 675 S. Royal Lane, Coppell, TX 75019.
McGuire Bearing Company, 947 S.E. Market St., Portland, OR 97214.
Motor Bearing Supply, Inc., Rt. 1, Box 679, Jasper, TX 75951.
RF Wolters Company, Inc., 4585 S. Berkley Lake Road, Norcross, GA 30071.
Representaciones Industriales Rodriguez, S.A. de C.V., Av. Dr. I. Morones Prieto 3150 Ote, Monterrey, NL, Mexico.
Ringball Corporation, 2160 Meadowpine Boulevard, Mississauga, Ontario, Canada L5N 6H6.
RitBearing Corporation, 14500 Lochridge Boulevard, Covington, GA 30014.
Seal Pack Corporation, 8502 NW 66th St., Miami, FL 33166.
(c) David O. Lloyd, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Room 401, Washington, DC 20436, who shall be the Commission investigative attorney, party to this investigation; and
(3) For the investigation so instituted, the Honorable Delbert R. Terrill, Jr., 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), such responses will be considered by the Commission if received no 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 to authorize the administrative law judge and the Commission, without further notice to that 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 that respondent.

Issued: April 10, 2002.

By order of the Commission.

Marilyn R. Abbott,

Secretary.

[FR Doc. 02-9230 Filed 4-15-02; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 303-TA-23, 731-TA-566-570, and 731-TA-641 (Final) (Reconsideration) (Remand)]

Ferrosilicon From Brazil, China, Kazakhstan, Russia, Ukraine, and Venezuela

AGENCY: United States International Trade Commission.

ACTION: Notice and scheduling of remand proceedings.

SUMMARY: The United States International Trade Commission (Commission) hereby gives notice of the court-ordered remand of its reconsideration proceedings pertaining to countervailing duty investigation no. 303-TA-23 (Final) concerning ferrosilicon from Venezuela, and antidumping investigation nos. 731-TA-566-570 and 731-TA-641 (Final) concerning ferrosilicon from Brazil, China, Kazakhstan, Russia, Ukraine, and Venezuela.

EFFECTIVE DATE: April 11, 2002.

FOR FURTHER INFORMATION CONTACT:

Lynn Featherstone, Office of Investigations, telephone 202-205-3160, or Marc A. Bernstein, Office of General Counsel, telephone 202-205-3087, 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. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>).

SUPPLEMENTARY INFORMATION:

Background

In August 1999 the Commission made a negative determination upon reconsideration in its antidumping and countervailing duty investigations concerning ferrosilicon from Brazil, China, Kazakhstan, Russia, Ukraine, and Venezuela. Ferrosilicon from Brazil, China, Kazakhstan, Russia, Ukraine, and Venezuela, Inv. Nos. 303-TA-23, 731-TA-566-570, 731-TA-641 (Final) (Reconsideration), USITC Pub. 3218 (Aug. 1999). The Commission's determinations were appealed to the U.S. Court of International Trade (CIT). On February 21, 2002, the CIT issued an opinion finding the Commission's proceedings on reconsideration defective because they did not accord the parties an opportunity to participate in a hearing specifically concerning the reconsideration proceeding. The CIT accordingly remanded the matter to the Commission for further proceedings. *Elkem Metals Co. v. United States*, slip op. 02-18 (Ct. Int'l Trade Feb. 21, 2002). On March 18, 2002, the CIT issued an Order providing the Commission within 180 days of service of the Order to complete the remand proceedings. The Commission received notice of this Order on April 1, 2002.

Reopening the Record

The Commission is reopening the record in these reconsideration proceedings to enable it to conduct the remand proceedings required by the CIT's opinion. The scope of the proceedings was not addressed in the CIT's opinion or Order, and consequently will remain unchanged from the 1999 reconsideration proceeding. See Ferrosilicon from Brazil, China, Kazakhstan, Russia, Ukraine, and Venezuela, 64 Fed. Reg. 28212 (May 25, 1999). Consequently, any new information submitted in this remand proceeding must be limited to

the issues of (a) the price-fixing conspiracy in which certain domestic ferrosilicon producers participated during the periods of the Commission's original investigations, or other anticompetitive conduct relating to the original periods of investigation, and (b) any possible material misrepresentations or material omissions, by any entity that provided information or argument in the original investigations, concerning: (1) The conspiracy or other anticompetitive conduct or (2) any other matter. The record in these proceedings will encompass the material from the record of the original investigations, the 1998-99 changed circumstances investigations involving ferrosilicon from Brazil, China, Kazakhstan, Russia, Ukraine, and Venezuela, and the 1999 reconsideration proceedings, as well as any information submitted during the remand proceedings, to include the Staff Reports and Economic Reports prepared during the original investigations and the Staff Report prepared during the changed circumstances investigation.

Participation in the Proceedings

Only those persons who were parties to the previous reconsideration proceedings (i.e., persons listed on the Commission Secretary's service list) may participate as parties in these remand proceedings. Nonparties may file written submissions and submit hearing testimony as described below.

Nature of the Remand Proceedings

The Commission will conduct the following additional proceedings in this remand: *Prehearing Brief*. Each party to the investigation shall submit to the Commission a prehearing brief no later than May 23, 2002. The brief shall only address those matters within the scope of the reconsideration proceeding. Prehearing briefs must conform with the provisions of section 207.23 of the Commission's rules. Any person who is not a party to this investigation may submit a brief written statement of information pertinent to the reconsideration proceeding within the time specified for the filing of prehearing briefs.

Hearing. The Commission will hold a hearing in connection with this reconsideration proceeding beginning at 9:30 a.m. on June 6, 2002, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before May 29, 2002. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement