Advisory Commission, 109 West Main Street, Somerset, PA 15501.

Dated: November 30, 2004.

Joanne M. Hanley,

Superintendent, Flight 93 National Memorial.

[FR Doc. 04–28289 Filed 12–27–04; 8:45 am]

BILLING CODE 4310–WH–M

INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 701–TA–437 and 731–TA–1060 and 1061 (Final)]

Carbazole Violet Pigment 23 From China and India

Determination

On the basis of the record [1] developed in the subject investigations, the United States International Trade Commission (Commission) determines, pursuant to sections 705(b) and 735(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b) and 1673d(b)) (the Act), that an industry in the United States is materially injured by reason of imports from China and India of carbazole violet pigment 23, provided for in subheading 3204.17.90 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce (Commerce) to be subsidized by the Government of India and to be sold in the United States at less than fair value (LTFV).[2]

Background

The Commission instituted these investigations effective November 21, 2003, following receipt of a petition filed with the Commission and Commerce by Nation Ford Chemical Co., Fort Mill, SC, and Sun Chemical Corp., Cincinnati, OH. The final phase of these investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of carbazole violet pigment 23 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 carbazole violet pigment 23 from China and India 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 July 23, 2004 (69 FR 44059). The hearing was held in Washington, DC, on November 10, 2004, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on December 22, 2004. The views of the Commission are contained in USITC Publication 3744 (December 2004), entitled *Carbazole Violet Pigment 23 from China and India: Investigations Nos. 701–TA–437 and 731–TA–1060 and 1061 (Final).*

By order of the Commission.

Issued: December 21, 2004.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 04–28340 Filed 12–27–04; 8:45 am]

BILLING CODE 7020–02–P

[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] The Commission further determines that critical circumstances do not exist with respect to those imports of the subject merchandise from China that were subject to the affirmative critical circumstances determination by the Department of Commerce.

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–406 (Consolidated Advisory Opinion and Enforcement Proceedings)]

In the Matter of Certain Lens-Fitted Film Packages; Order

On October 7, 2004, the United States Court of Appeals for the Federal Circuit issued two decisions in appeals stemming from the above-captioned proceedings, *VastFame Camera, Ltd., et al.* v. *U.S. Int'l Trade Com'n,* 386 F.3d 1108 (Fed. Cir. 2004) (''*VastFame*'') and *Fuji Photo Film Co., Ltd., et al.* v. *U.S. Int'l Trade Com'n,* 386 F.3d 1095 (Fed. Cir. 2004) (''*Fuji*''). The mandates issued in these cases on November 29, 2004. In *VastFame,* the Court reversed the Commission's decision to refuse to allow an importer who had not been a respondent in the original investigation to raise the defense of patent invalidity in the Commission's enforcement proceedings, vacated the enforcement decision, and remanded the case for proceedings consistent with its Opinion. In *Fuji*, the Court affirmed the majority of the Commission's determinations at issue, but vacated and remanded the Commission's infringement decision as to one asserted claim for redetermination of the infringement issue using a claim construction supplied by the Court.

It is hereby ordered that:

1. This investigation be remanded to Administrative Law Judge Paul J. Luckern in order that he may conduct such further proceedings as may be necessary to carry out the mandates of the Court and conclude the proceedings.

2. The presiding administrative law judge shall issue an initial determination in which he shall determine:

a. Whether claim 15 of U.S. Patent No. 4,884,087 is invalid;

b. Whether any of the respondents' accused disposable cameras imported into or sold in the United States infringe claim 1 of U.S. Patent No. 4,972,649 under the Federal Circuit's claim construction; and

c. Whether there are, in light of the determinations made in accordance with paragraph b. above, any further violations of section 337 of the Tariff Act of 1930.

3. The presiding administrative law judge may, in his discretion, reopen the evidentiary record to the extent necessary to resolve any new factual questions presented by the Court's opinion. His ID will be processed by the Commission in accordance with Commission Rules 210.42(h)(2) and 210.43–210.45, 19 CFR 210.42(h)(2) and 210.43–210.45.

4. In the event that the presiding administrative law judge determines that there have been additional violations of section 337 of the Tariff Act of 1930, he shall issue a recommended determination on whether any further enforcement measures are necessary.

By order of the Commission.

Issued: December 21, 2004.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 04–28339 Filed 12–27–04; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337–TA–500]

In the Matter of Certain Purple Protective Gloves; Notice of Issuance of General Exclusion Order and Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to issue a general exclusion order in the above-captioned investigation and has terminated the investigation.

FOR FURTHER INFORMATION CONTACT: Michael Diehl, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202–205–3095. Copies of 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 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 the matter can be obtained by contacting the Commission's TDD terminal on 202–205–1810.

SUPPLEMENTARY INFORMATION: This trademark-based section 337 investigation was instituted by the Commission based on a complaint filed by Kimberly-Clark Corporation of Irving, Texas and Safeskin Corporation of Roswell, Georgia (collectively ''K-C/Safeskin''). 68 FR 66491 (Nov. 26, 2003). K-C/Safeskin alleged violations of section 337 of the Tariff Act of 1930 in the importation and sale of certain purple protective gloves by reason of infringement of U.S. Registered Trademark Nos. 2,596,539, 2,533,260, and 2,593,382.

Six of the seven respondents named in the complaint entered into settlement agreements with K-C/Safeskin. On May 24, 2004, the administrative law judge (''ALJ'') issued an initial determination (''ID'') (Order No. 15) terminating the investigation as to Latexx Partners Berhad and Medtexx Partners on the basis of a confidential settlement agreement. On June 1, 2004, the ALJ issued another ID (Order No. 16), terminating the investigation as to The Delta Group; Delta Hospital Supply, Inc.; Delta Medical Systems, Inc.; and Delta Medical Supply Group, Inc. on the basis of a settlement agreement and a consent order. The Commission determined not to review the IDs on June 22, 2004.

The seventh respondent—Dash Medical Gloves, Inc. (''Dash'')—failed to file a timely response to the complaint and notice of investigation. Dash filed a motion for termination of the investigation as to it by entry of a consent order. Subsequently, in response to an order to show cause why it should not be held in default, Dash withdrew its request for termination by entry of consent and indicated that it ''will not oppose entry of a Default in this matter.'' On May 24, 2004, the ALJ issued an ID (Order No. 14) finding Dash in default pursuant to Commission rule 210.16(a)(1). The Commission determined not to review the ID on June 22, 2004.

On September 23, 2004, the ALJ issued an ID (Order No. 17) finding ''substantial, reliable, and probative evidence'' of a violation of section 337 by reason of Dash's importation and sale of the accused gloves and the existence of a domestic industry. No party petitioned for review of the ID. The ALJ recommended the issuance of a general exclusion order, and that the bond permitting temporary importation during the Presidential review period be set at 100 percent of the value of the infringing imported product. On October 19, 2004, the Commission determined not to review this ID, and issued a notice seeking comments on remedy, the public interest, and bonding. K-C/Safeskin and the Commission investigative attorney (''IA'') supported the recommendations of the ALJ in briefs filed on November 12, 2004. The IA filed a reply on November 19, 2004.

Having examined the relevant portions of the record in this investigation, including the ALJ's recommended determination, and the written submissions on remedy, the public interest, and bonding, the Commission determined to issue a general exclusion order prohibiting unlicensed entry for consumption of purple protective gloves that infringe U.S. Registered Trademarks Nos. 2,596,539, 2,533,260, or 2,593,382. The Commission also determined that the public interest factors enumerated in section 337(d) do not preclude the issuance of the aforementioned remedial order and that the bond during the Presidential review period shall be 100 percent of the entered value of the articles in question. (The Commission's order was delivered to the President on the day of its issuance.)

This action is taken under the authority of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337(d)(2)), and sections 210.41 and 210.50 of the Commission's Rules of Practice and Procedure, (19 CFR 210.41 and 210.50).

By order of the Commission.

Issued: December 22, 2004.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 04–28337 Filed 12–27–04; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337–TA–517]

In the Matter of Certain Shirts With Pucker-Free Seams and Methods of Producing Same—Notice of Decision Not To Review an Initial Determination Partially Terminating the Investigation on the Basis of Withdrawal of Certain Allegations in the Complaint

AGENCY: International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (ID) issued by the presiding administrative law judge (ALJ) in the above-captioned investigation partially terminating the investigation on the basis of withdrawal of certain allegations in the complaint.

FOR FURTHER INFORMATION CONTACT: Andrea Casson, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202–205–3104. Copies of all 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 the matter can be obtained by contacting the Commission's TDD terminal on 202–205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on August 3, 2004, based on a complaint filed by TAL Apparel Limited, TALTECH Limited, and The Apparel Group Limited (collectively ''TAL.'') 69 FR 47857 (August 6, 2004.) The complaint alleges violations of section 337 of the Tariff Act of 1930, 337 U.S.C. 1337, in the importation into the United States, sale for importation, and/or sale within the United States after importation of certain shirts with pucker-free seams that infringe claims 1, 4, 20 and 22 of U.S. Patent No. 5,568,779 (the '779 patent); claims 1, 11, 19 and 26 of U.S. Patent No. 5,590,615 (the '615 patent); claims 1, 3, 13 and 16