

Order, the public version of the ALJ's initial determination (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. 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 this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on April 16, 2002, based on a complaint filed by SKF USA, Inc. (SKF USA) of Norristown, PA against fourteen respondents. 67 FR 18632 (2002). Four respondents remain active in the investigation, with ten respondents having either settled with complainant or been found in default. The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930 in the importation into the United States, sale for importation, and sale within the United States after importation of certain bearings by reason of infringement of registered and common law trademarks, dilution of trademarks, various acts in violation of the Lanham Act, and passing off. A count concerning "unfair pecuniary benefits" was dismissed by the Commission on September 23, 2002.

On April 10, 2003, the ALJ issued his final ID on violation and his recommended determination on remedy and bonding. The ALJ found a violation of section 337 by reason of infringement of SKF USA's registered and common law trademarks by each of the four remaining respondents, viz., Bearings Limited, Bohls Bearing and Transmission Service, CST Bearing Company, and McGuire Bearings Company, and recommended the issuance of a general exclusion order and cease and desist orders to the respondents found in violation. All active parties remaining in the investigation, including the Commission investigative attorney, filed petitions for review on April 21, 2003, and replies to the petitions on April 28, 2003.

On May 27, 2003, the Commission determined to review the ID in part and asked the parties to brief several questions relating to the issue of

material differences in the context of trademark infringement by gray market goods. 68 FR 32766-7 (June 2, 2002). Responses to the Commission's questions were filed on June 6, 2003, by all parties remaining in the investigation. Replies to the responses were filed by the same parties on June 13, 2003. Having examined the parties' submissions and the record in this investigation, including the ALJ's final ID, the petitions for review, and the responses thereto, the Commission determined to remand the investigation to the ALJ for further fact-finding concerning the material differences between complainant's and respondents' bearings. In order to allow sufficient time for the further fact-finding, the Commission extended the target date for completion of the investigation by six months, *i.e.*, until February 12, 2004.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in sections 210.45 and 210.51 of the Commission's Rules of Practice and Procedure (19 CFR 210.45, 210.51).

Issued: August 6, 2003.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 701-TA-431 (Final)]

### Drams and Dram Modules From Korea Determination

On the basis of the record<sup>1</sup> developed in the subject investigation, the United States International Trade Commission (Commission) determines,<sup>2</sup> pursuant to section 705(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)) (the Act), that an industry in the United States is materially injured by reason of imports from Korea of dynamic random access memory semiconductors (DRAMs) and DRAM modules, provided for in subheadings 8473.30.10 and 8542.21.80 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce

<sup>1</sup> The record is defined in § 207.2(f) of the Commission's rules of practice and procedure (19 CFR 207.2(f)).

<sup>2</sup> Commissioner Marcia E. Miller did not participate in this investigation.

(Commerce) to be subsidized by the Government of Korea.

## Background

The Commission instituted this investigation effective November 1, 2002, following receipt of a petition filed with the Commission and Commerce by Micron Technology, Inc., Boise, ID. The final phase of the investigation was scheduled by the Commission following notification of a preliminary determination by Commerce that imports of DRAMs and DRAM modules from Korea were being subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)). Notice of the scheduling of the final phase 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 April 16, 2003 (68 FR 18671). The hearing was held in Washington, DC, on June 24, 2003, 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 August 4, 2003. The views of the Commission are contained in USITC Publication 3617 (August 2003), entitled *DRAMs and DRAM Modules from Korea: Investigation No. 701-TA-431 (Final)*.

Issued: August 4, 2003.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

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## INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 731-TA-1048-1053 (Preliminary)]

### Electrolytic Manganese Dioxide From Australia, China, Greece, Ireland, Japan, and South Africa

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

**ACTION:** Institution of antidumping investigations and scheduling of preliminary phase investigations.

**SUMMARY:** The Commission hereby gives notice of the institution of investigations and commencement of preliminary phase antidumping investigations Nos. 731-TA-1048-1053 (Preliminary) under section 733(a) of the Tariff Act of 1930