

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-435]

Certain Integrated Repeaters, Switches, Transceivers, and Products Containing Same; Investigation**AGENCY:** U.S. 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 July 20, 2000, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Intel Corporation, 2200 Mission College Boulevard, Santa Clara, California 95052, and Level One Communications, Inc., 9750 Goethe Road, Sacramento, California 95827. The complaint alleges a violation 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 integrated repeaters, switches, transceivers, and products containing same by reason of infringement of claims 1, 3, 7-8, 13-19, and 23-29 of U.S. Letters Patent 5,894,410; claims 1, 3, 10-13, 15-16, and 19 of U.S. Letters Patent 5,608,341; and claims 1, 3, 5, 10, and 11 of U.S. Letters Patent 5,726,860. The complaint further alleges that there exists an industry in the United States as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after a hearing, issue a permanent exclusion order and a permanent cease and desist order.

ADDRESSES: The complaint, except for any confidential information contained therein, is 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, S.W., Room 112, Washington, D.C. 20436, telephone 202-205-2000. 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 be obtained by accessing its internet server (<http://www.usitc.gov>).

FOR FURTHER INFORMATION CONTACT: Juan Cockburn, Office of Unfair Import

Investigations, U.S. International Trade Commission, telephone 202-205-2572.

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 (1999).

Scope of Investigation

Having considered the complaint, the U.S. International Trade Commission, on August 16, 2000, *ordered* that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) 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 integrated repeaters, switches, transceivers, or products containing same by reason of infringement of claims 1, 3, 7-8, 13-19, or 23-29 of U.S. Letters Patent 5,894,410; claims 1, 3, 10-13, 15-16, or 19 of U.S. Letters Patent 5,608,341; or claims 1, 3, 5, 10, or 11 of U.S. Letters Patent 5,726,860; and whether there exists an industry in the United States as required by subsection (a)(2) of section 337.

(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 complainants are—
Intel Corporation, 2200 Mission College Boulevard, Santa Clara, California 95052
Level One Communications, Inc., 9750 Goethe Road, Sacramento, California 95827

(b) The respondent is the following company alleged to be in violation of section 337, and is the party upon which the complaint is to be served:

Altima Communications, Inc., 2055 Gateway Place, San Jose, California 95110

(c) Juan Cockburn, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Room 401-Q, Washington, D.C. 20436, who shall be the Commission investigative attorney, party to this investigation;

(3) For the investigation so instituted, the Honorable Paul J. Luckern is designated as the presiding administrative law judge;

(4) The presiding administrative law judge is authorized to consolidate Inv. No. 337-TA-430 and this investigation if he deems it appropriate.

Responses to the complaint and the notice of investigation must be submitted by the named respondent in accordance with § 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) of the Commission's Rules, such responses will be considered by the Commission if received not 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 the 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 this notice, and to authorize the administrative law judge and the Commission, without further notice to the 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 such respondent.

Issued: August 17, 2000.

By order of the Commission.

Donna R. Koehnke,
Secretary.

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INTERNATIONAL TRADE COMMISSION

[Investigation 332-419]

Pricing of Prescription Drugs

AGENCY: United States International Trade Commission

ACTION: Extension of dates for delivery of the initial report and for written submissions by interested parties for Inv. No. 332-419, Pricing of Prescription Drugs.

EFFECTIVE DATE: August 17, 2000.

SUMMARY: In response to a request on August 9, 2000, from the Committee on Ways and Means (the Committee) of the United States House of Representatives, the Commission has extended the date for reporting the initial results of its investigation No. 332-419, Pricing of Prescription Drugs, until December 1, 2000. The deadline for written submissions by interested parties has been extended to September 8, 2000.