

and products containing same by reason of infringement of claims 1–12 of U.S. Patent No. 5,464,709. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337. The Commission named as respondents 26 companies located in the United States, China, Indonesia, and Japan.

On November 26, 2003, complainants and one respondent, Monster Cable Products, Inc. ("Monster Cable"), jointly moved for termination of the investigation as to Monster Cable on the basis of a settlement agreement and a proposed consent order. On December 8, 2003, the Commission investigative attorney filed a response supporting the motion for termination. No party opposed the motion for termination. The ALJ issued the subject ID on December 18, 2003, terminating the investigation as to Monster Cable on the basis of the consent order.

No party petitioned for review of the ID pursuant to 19 CFR 210.43(a), and the Commission found no basis for ordering a review on its own initiative pursuant to 19 CFR 210.44. The ID thus became the determination of the Commission pursuant to 19 CFR 210.42(h)(3). The Commission notes that the reference to "FDK" on line 16, page 4 of the ID should be "Monster."

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and Commission rule 210.42, 19 CFR 210.42.

Issued: January 13, 2004.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 04–1033 Filed 1–15–04; 8:45 am]

BILLING CODE 7020–02–P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA–W–51,557]

#### Agilent Technologies, Design Validation Division Including Temporary Workers of Volt Technical Services, Colorado Springs, CO; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on May 5, 2003, applicable to workers of Agilent Technologies, Design Validation

Division, Colorado Springs, Colorado. The notice was published in the **Federal Register** on May 19, 2003 (68 FR 27107).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. Information provided by the company shows that temporary workers of Volt Technical Services were employed at Agilent Technologies, Design Validation Division to produce oscilloscopes and logic analyzers, as well as run control and associated accessories at the Colorado Springs, Colorado location of the subject firm.

Based on these findings, the Department is amending this certification to include temporary workers of Volt Technical Services working at Agilent Technologies, Design Validation Division, Colorado Springs, Colorado.

The intent of the Department's certification is to include all workers of Agilent Technologies, Design Validation Division who were adversely affected by a shift in production to Malaysia.

The amended notice applicable to TA–W–51,557 is hereby issued as follows:

All workers of Agilent Technologies, Design Validation Division, Colorado Springs, Colorado, including temporary workers of Volt Technical Services, producing oscilloscopes and logic analyzers, and also run control and associated accessories at Agilent Technologies, Design Validation Division, Colorado Springs, Colorado, who became totally or partially separated from employment on or after May 26, 2003, through May 5, 2005, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974.

Signed in Washington, DC, this 30th day of December, 2003.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04–1003 Filed 1–15–04; 8:45 am]

BILLING CODE 4910–30–P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA–W–50,047]

#### Andrew Corporation Including Temporary Workers of Triangle Temporaries, Inc., Denton, TX; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility to Apply for

Worker Adjustment Assistance on December 16, 2002, applicable to workers of Andrew Corporation located in Denton, Texas. The notice was published in the **Federal Register** on January 9, 2003 (68 FR 1202).

At the request of a petitioner, the Department reviewed the certification for workers of the subject firm. The workers produce terrestrial microwave antennas, ValuLine antennas, and earth station antennas for the telecommunications industry.

The petitioner reports that some of the workers at Andrew Corporation, prior to being employed permanently by the Andrew Corporation, were temporary workers whose wages were being paid by Triangle Temporaries, Inc. in Denton, Texas.

The intent of the Department's certification is to provide coverage to all workers of Andrew Corporation, Denton, Texas, who were adversely affected by that firm's shift in production to Mexico.

Therefore, the Department is amending the certification to include temporary workers at the subject firm whose wages were reported to Triangle Temporaries, Inc.

The amended notice applicable to TA–W–50,047 is hereby issued as follows:

All workers of Andrew Corporation, Denton, Texas, and temporary workers of Triangle Temporaries, Inc., engaged in employment related to the production of terrestrial microwave antennas, ValuLine antennas, and earth station antennas at Andrew Corporation, Denton, Texas, who became totally or partially separated from employment on or after November 4, 2001, through December 16, 2004, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC, this 16th day of December 2003.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04–1000 Filed 1–15–04; 8:45 am]

BILLING CODE 4510–30–P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA–W–52,538]

#### Custom Tool and Design, Inc., Erie, PA; Notice of Revised Determination on Reconsideration

On November 21, 2003, the Department issued a Notice of Affirmative Determination Regarding Application for Reconsideration,

applicable to workers of the subject firm. The notice was published in the **Federal Register** on December 19, 2003 (68 FR 70837–70838).

On September 23, 2003, the initial petition investigation for workers of Custom Tool and Design, Inc., Erie, Pennsylvania resulted in a negative decision because criteria I.B. and II.B. of the worker group eligibility requirements of the Trade Act of 1974, as amended, were not met. Sales and production of plastic injection molds increased in January through July 2003 when compared to the same time period of the previous year.

Officials of Custom Tool and Design, Inc. provided new information to the Department showing that sales and production of plastic injection molds declined in January through August 2003 over the corresponding period of 2002.

Subsequently, the Department conducted a survey of major customers of the subject firm regarding their purchases of plastic injection molds during 2001, 2002 and January through August 2003. Results of this survey revealed that major declining customer(s) of Custom Tool and Design, Inc. increased import purchases of plastic injection molds, while reducing purchases from the subject firm.

### Conclusion

After careful consideration of the new facts obtained on reconsideration, it is concluded that increased imports of plastic injection molds like or directly competitive with those produced by Custom Tool and Design, Inc., Erie, Pennsylvania, contributed importantly to the decline in sales or production and to the total or partial separation of workers of that firm.

In accordance with the provisions of the Trade Act of 1974, I make the following revised determination:

All workers of Custom Tool and Design, Inc., Erie, Pennsylvania, who became totally or partially separated from employment on or after July 23, 2002, through two years from the date of certification, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974.

Signed in Washington, DC, this 6th day of January, 2004.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04–997 Filed 1–15–04; 8:45 am]

BILLING CODE 4510–30–P

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended, (19 U.S.C. 2273), the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA–W) number and alternative trade adjustment assistance (ATAA) by (TA–W) number issued during the periods of December 2003.

In order for an affirmative determination to be made and a certification of eligibility to apply for directly-impacted (primary) worker adjustment assistance to be issued, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Section (a) (2) (A) all of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. The sales or production, or both, of such firm or subdivision have decreased absolutely; and

C. Increased imports of articles like or directly competitive with articles produced by such firm or subdivision have contributed importantly to such workers' separation or threat of separation and to the decline in sales or production of such firm or subdivision; or

II. Section (a) (2) (B) both of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. There has been a shift in production by such workers' firm or subdivision to a foreign country of articles like or directly competitive with articles which are produced by such firm or subdivision; and

C. One of the following must be satisfied:

1. The country to which the workers' firm has shifted production of the articles is a party to a free trade agreement with the United States;

2. The country to which the workers' firm has shifted production of the articles to a beneficiary country under the Andean Trade Preference Act,

African Growth and Opportunity Act, or the Caribbean Basin Economic Recovery Act; or

3. There has been or is likely to be an increase in imports of articles that are like or directly competitive with articles which are or were produced by such firm or subdivision.

Also, in order for an affirmative determination to be made and a certification of eligibility to apply for worker adjustment assistance as an adversely affected secondary group to be issued, each of the group eligibility requirements of Section 222(b) of the Act must be met.

(1) Significant number or proportion of the workers in the workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The workers' firm (or subdivision) is a supplier or downstream producer to a firm (or subdivision) that employed a group of workers who received a certification of eligibility to apply for trade adjustment assistance benefits and such supply or production is related to the article that was the basis for such certification; and

(3) Either—

(A) The workers' firm is a supplier and the component parts it supplied for the firm (or subdivision) described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) A loss or business by the workers' firm with the firm (or subdivision) described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

#### Negative Determinations for Worker Adjustment Assistance

In the following cases, the investigation revealed that the criteria for eligibility have not been met for the reasons specified.

The investigation revealed that criteria (a)(2)(A)(I.C.) (Increased imports) and (a) (2) (B) (II.B) (No shift in production to a foreign country) have not been met.

TA–W–53,415; *Elementis Chromium LP, formerly known as American Chrome & Chemicals LP, including leased workers of Bay, Harmony, and The Wilson Group, Corpus Christi, TX*

TA–W–53,434; *Sara Lee Coffee & Tea, Oklahoma City, OK*

TA–W–53,718; *Brown-Minneapolis Tank-Rocky Mountain, LLC, Orem, UT*

TA–W–53,570; *Thermo Forma, Marietta, OH*