

Commission has instituted a formal enforcement proceeding relating to a cease and desist order issued at the conclusion of the above-captioned investigation.

**FOR FURTHER INFORMATION CONTACT:**

Clint A. Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-3061. 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:** On June 21, 2005, the Commission instituted an investigation under section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, based on a complaint filed by Broadcom Corporation ("Broadcom") of Irvine, California, alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain baseband processor chips and chipsets, transmitter and receiver (radio) chips, power control chips, and products containing same, including cellular telephone handsets by reason of infringement of certain claims of U.S. Patent Nos. 6,374,311; 6,714,983 ("the '983 patent"); 5,682,379 ("the '379 patent"); 6,359,872 ("the '872 patent"); and 6,583,675. 70 Fed. Reg. 35707 (June 21, 2005). The complainant named Qualcomm Incorporated ("Qualcomm") of San Diego, California as the only respondent. The '379 patent and '872 patent were terminated from this investigation.

On October 19, 2006, the presiding administrative law judge ("ALJ") issued an Initial Determination on Violation of Section 337 and Recommended Determination on Remedy and Bond ("ID"), finding a violation of section 337 as to the '983 patent only. On December 8, 2006, the Commission issued a notice of its decision to review and modify in part the ALJ's final ID. The modification made by the Commission did not affect the finding of violation.

On March 21-22, 2007, the Commission held a public hearing on the issues of remedy and the public interest. Subsequently, the Commission extended the target date for completion of this investigation to June 7, 2007.

On June 7, 2007, the Commission issued a limited exclusion order, with certain exemptions, prohibiting the importation of Qualcomm's baseband processor chips or chipsets, including chips or chipsets incorporated into circuit board modules and carriers, that are programmed to enable the power saving features covered by claims 1, 4, 8, 9, or 11 of the '983 patent, as well as handheld wireless communication devices, including cellular telephone handsets and PDAs, containing Qualcomm baseband processor chips or chipsets that are programmed to enable the power saving features covered by these claims. The Commission also issued a cease and desist order that prohibits Qualcomm from engaging in certain activities in the United States related to the infringing chips.

On November 9, 2007, complainant Broadcom filed a complaint for enforcement proceedings under Commission Rule 210.75. Broadcom asserts that respondent Qualcomm has violated the Commission's cease and desist order by continued marketing of infringing, imported baseband processor chips and chipsets, and continued testing and programming of imported baseband processor chips and chipsets to transform them into infringing products. On December 5 and 7, 2007, respectively, Qualcomm filed a letter opposing institution of Broadcom's complaint, and Broadcom filed a letter in response to Qualcomm's opposition.

Having examined the complaint seeking a formal enforcement proceeding, and having found that the complaint complies with the requirements for institution of a formal enforcement proceeding contained in Commission rule 210.75, the Commission has determined to institute formal enforcement proceedings to determine whether Qualcomm is in violation of the Commission's cease and desist order issued in the investigation, and what, if any, enforcement measures are appropriate. The following entities are named as parties to the formal enforcement proceeding: (1) Complainant Broadcom, (2) respondent Qualcomm, and (3) a Commission investigative attorney to be designated by the Director, Office of Unfair Import Investigations.

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

section 210.75 of the Commission's Rules of Practice and Procedure (19 CFR 210.75).

Issued: December 20, 2007.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

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## INTERNATIONAL TRADE COMMISSION

**[Investigation Nos. 701-TA-417 and 731-TA-953, 954, 957-959, 961, and 962 (Review)]**

### **Carbon and Certain Alloy Steel Wire Rod From Brazil, Canada, Indonesia, Mexico, Moldova, Trinidad and Tobago, and Ukraine**

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

**ACTION:** Notice of Commission determinations to conduct full five-year reviews concerning the countervailing duty order on carbon and certain alloy steel wire rod ("wire rod") from Brazil and antidumping duty orders on wire rod from Brazil, Canada, Indonesia, Mexico, Moldova, Trinidad and Tobago, and Ukraine.

**SUMMARY:** The Commission hereby gives notice that it will proceed with full reviews pursuant to section 751(c)(5) of the Tariff Act of 1930 (19 U.S.C. § 1675(c)(5)) to determine whether revocation of the countervailing duty order on wire rod from Brazil and the antidumping duty orders on wire rod from Brazil, Canada, Indonesia, Mexico, Moldova, Trinidad and Tobago, and Ukraine would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. A schedule for the reviews will be established and announced at a later date. For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

**EFFECTIVE DATE:** December 10, 2007.

**FOR FURTHER INFORMATION CONTACT:** Mary Messer (202-205-3193), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter 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 also be obtained by accessing its internet server (<http://www.usitc.gov>). The public record for these reviews may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**SUPPLEMENTARY INFORMATION:** On December 10, 2007, the Commission determined that it should proceed to full reviews in the subject five-year reviews pursuant to section 751(c)(5) of the Act. The Commission found that the domestic interested party group response to its notice of institution (72 FR 50696, September 4, 2007) was adequate and that the respondent interested party group responses with respect to Canada and Moldova were adequate and decided to conduct full reviews with respect to the antidumping duty orders concerning wire rod from Canada and Moldova. The Commission found that the respondent interested party group responses with respect to Brazil, Indonesia, Mexico, Trinidad and Tobago, and Ukraine were inadequate. However, the Commission determined to conduct full reviews concerning the countervailing duty order on wire rod from Brazil and the antidumping duty orders on wire rod from Brazil, Indonesia, Mexico, Trinidad and Tobago, and Ukraine to promote administrative efficiency in light of its decision to conduct full reviews with respect to the orders concerning wire rod from Canada and Moldova. A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's web site.

*Authority:* These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

By order of the Commission.

Issued: December 21, 2007.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E7-25174 Filed 12-27-07; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731-TA-955, 960, 963 (Preliminary) (Third Remand)]

### Carbon and Certain Alloy Steel Wire Rod from Egypt, South Africa, and Venezuela

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

**ACTION:** Notice of remand proceedings.

**SUMMARY:** The U.S. International Trade Commission ("Commission") hereby gives notice of the court-ordered remand of its preliminary determinations in the antidumping Investigation Nos. 731-TA-955, 960, 963 concerning carbon and certain alloy steel wire rod from Egypt, South Africa, and Venezuela. For further information concerning the conduct of this proceeding and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subpart A (19 CFR part 207).

**EFFECTIVE DATE:** December 21, 2007.

#### FOR FURTHER INFORMATION CONTACT:

Mary Messer, Office of Investigations, telephone 202-205-3193, or Robin L. Turner, Office of General Counsel, telephone 202-205-3103, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter 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 also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record of Investigation No. 731-TA-1088 may be viewed on the Commission's electronic docket ("EDIS") at <http://edis.usitc.gov>.

#### SUPPLEMENTARY INFORMATION:

*Background.*—In September 2005, the Commission determined on remand that there is no potential that subject imports from South Africa will exceed the applicable individual statutory negligibility threshold of three percent of total wire rod imports in the imminent future, and that with respect to Egypt, South Africa and Venezuela collectively, there is no potential that aggregate subject imports from these countries would exceed seven percent of total wire rod imports in the imminent future. 19 U.S.C. 1677(24). The Court of International Trade ("CIT") issued an opinion in the matter on

January 17, 2007, *Co-Steel Raritan, Inc. v. United States*, Slip Op. 07-7 (Ct. Int'l Trade Jan. 17, 2007), and an order on November 8, 2007, *Gerdau Ameristeel U.S. Inc. v. United States International Trade Commission*, Slip Op. 07-165 (Ct. Int'l Trade Nov. 8, 2007), remanding the matter to the Commission for further proceedings not inconsistent with its opinion.

*Participation in the proceeding.*—Only those persons who were interested parties to the original investigation (i.e., persons listed on the Commission Secretary's service list) and were parties to the appeal may participate in the remand proceeding. Such persons need not re-file their appearance notices or protective order applications to participate in the remand proceeding. Business proprietary information ("BPI") referred to during the remand proceeding will be governed, as appropriate, by the administrative protective order issued in the original investigation.

*Written submissions.*—The Commission is reopening the record in this proceeding for the limited purpose of seeking new factual information regarding South African producers of steel wire rod that did not respond in the original investigation. In addition, the Commission will permit the parties to file comments pertaining to the inquiries that are the subject of the CIT's remand instructions and any new factual information. Comments should be limited to no more than twenty (20) double-spaced and single-sided pages of textual material. The parties may not submit any new factual information in their comments and may not address any issue other than the inquiries that are the subject of the CIT's remand instructions. Any such comments must be filed with the Commission no later than January 29, 2008.

All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 FR 68036 (Nov. 8, 2002).

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not